



**BOARD OF TRUSTEES
ACADEMIC AND STUDENT AFFAIRS COMMITTEE
Delores E. Crawford, Chair
John R. Jakubek, Vice Chair
All Trustees are Members**

**Wednesday, September 6, 2017
8:30 a.m.**

**Tod Hall
Board Meeting Room**

AGENDA

- A. Disposition of Minutes for Meetings Held June 7, 2017**
- B. Old Business**
- C. Committee Items**

1. Student Affairs

a. Student Affairs Action Item

- Tab C.1.a.1. 1) Resolution to Modify Policy 3356-8-01.1, "The Student Code of Conduct."**
Eddie Howard, Associate Vice President for Student Experience, will report.

b. Student Affairs Discussion Item

1) Fall 2017 Enrollment Update

Mr. Gary D. Swegan, Associate Vice President for Enrollment Planning and Management, will present an update regarding fall 2017 enrollment.

2. Academic Affairs

a. Academic Affairs Consent Agenda Item*

- Tab C.2.a.1. *1) Resolution to Modify Policy 3356-10-09, Adjunct Faculty**
Dr. Martin A. Abraham, Provost and Vice President for Academic Affairs, and Dr. Sal Sanders, Dean of the College of Graduate Studies, will report.

*Items listed under the Consent Agenda require Board approval; however, they may be presented without discussion as these items include only non-substantive changes.

b. Academic Affairs Action Items

- Tab C.2.b.1.** **1) Resolution to Authorize Conferral of Honorary Degree**
Dr. Martin A. Abraham, Provost and Vice President for Academic Affairs, will summarize the credentials of Pamela Browner White, who has been nominated to receive an honorary degree at the Fall 2017 commencement ceremony. Board approval is required.
- Tab C.2.b.2.** **2) Resolution to Rescind Policies 3356-5-05, Agreements, Educational Partnerships and Related Documents; 3356-10-21, Establishing, Altering, or Abolishing Educational, Research, and Public Service Centers, Institutes, and Laboratories; and Approve Policy 3356-10-22, Partnerships, Centers, and Related Arrangements**
Dr. Martin A. Abraham, Provost and Vice President for Academic Affairs, will report.
- Tab C.2.b.3.** **3) Resolution to Approve Reorganization to Create the Office of College Access and Transitions**
Karla M. Krodell, Director of Metro Credit, Dr. Claire Berardini, Associate Provost for Student Success, and Dr. Martin A. Abraham, Provost and Vice President for Academic Affairs, will report.

c. Academic Affairs Discussion Items

- 1) Higher Learning Commission Update**
Dr. Kevin E. Ball, Associate Provost for Academic Programs and Planning, will report.
- Tab C.2.c.2.** **2) YSU Excellence Steering (YES) Committee Update**
Dr. Martin A. Abraham, Provost and Vice President for Academic Affairs, and Dr. Chester R. Cooper, Chairperson of the Academic Senate, Co-chairs of the YES Committee, will report on the proposed statement of shared governance document.
- Tab C.2.c.3.** **3) Strategic Plan Cornerstone Dashboard Update**
Dr. Sal Sanders, Dean of the College of Graduate Studies, will report on the Urban Research University Transition Cornerstone.
- Tab C.2.c.4.** **4) Office of Research Services FY 17 Report**
Michael Hripko, Associate Vice President for Research, and Dr. Andrew Shepard-Smith, Director, Office of Research Services, will present the FY17 Year End/Fourth Quarter Report from the Office of Research Services.
- Tab C.2.c.5.** **5) Enrollment in New Programs**
Dr. Martin A. Abraham, Provost and Vice President for Academic Affairs, and Dr. Kevin E. Ball, Associate Provost for Academic Programs and Planning, will report.



Explanation of Modifications to *University Policy*:

3356-8-01 Authority to modify the student code of conduct.

This policy is being modified to clarify several procedures, to add consistency in timelines for several similar procedures, and to add new policies to address emerging student issues. Modifications to this policy were previously presented at the June 2017 meeting of the Board of Trustees which reserved action until its September meeting consistent with requested changes and clarifications. These changes and clarifications, which are noted in blue text on the September 2017 submission are in (D) Article III. (18) Sexual misconduct, pages 12-13 and (22) Violation of law, pages 15-16.

**RESOLUTION TO MODIFY
*THE STUDENT CODE OF CONDUCT***

WHEREAS, *The Student Code of Conduct* outlines student rights, responsibilities, and conduct as well as the due process and disciplinary procedures utilized, details of the academic grievance procedure, the students records policy, etc.; and

WHEREAS, sections of *The Student Code of Conduct* have been updated and revised;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby approve the modification of *The Student Code of Conduct* shown as Exhibit __ attached hereto. A copy of the policy indicating the changes to be made is also attached.

The Student Code of Conduct
2017 List of Revisions

REVISION	RATIONALE	WHO IT AFFECTS
<p>Realignment of language throughout to provide consistency; shifted to standard language including “hearing panel”, “appellate hearing panel”, and “academic integrity.”</p>	<p>Inconsistencies in language made the document more difficult to interpret. Therefore, language was standardized.</p>	<p>N/A</p>
<p>ARTICLE III.- STUDENT CONDUCT STANDARDS 1. Renamed to “Academic Integrity” 2. Alcohol- removed a charge for possession of alcohol in residence halls. This will now be charged under 17 as a violation of housing policy. 6. Removed language about complicity due to last year’s addition of a separate complicity policy (4). 7. Added additional charge for misuse of prescription drugs. 20. Added specific language about unauthorized access to student rooms. 21. Clarified policy by adding the intent to cause harm.</p>	<p>1. This change reflects the common use term on campus. 2. The charge was not a violation of the alcohol policy, but a violation of housing policy. Wanted to provide clarification so students do not have unwarranted “alcohol” charges that are not so. 6. Removed duplication. 7. This reflects a rise in misuse of prescription drugs. 20. This reflects a rise in such issues; this past year we had a case wherein Student A was given access to Student B’s room/belongings by Student B’s roommate. We wanted to clarify that Student A needs Student B’s explicit permission (even if Student A and Student B are dating, as was the case). 21. This clarifies that malintent is key to the charge, as the widespread use of sharing functions on social media would otherwise make this a rampant violation.</p>	<p>Faculty, staff, and students.</p>
<p>ARTICLE IV. STUDENT CONDUCT PROCEDURES 1. (d) Added clarifying information on the evidentiary standard. 3. (d) Clarified that a Student Conduct Board hearing panel “may” have an advisor.</p>	<p>1. (d) Based on feedback from multiple parties engaged in the conduct process, wanted to provide clearer guidance on the evidentiary standard used for all student conduct cases. 3. (d) Previously stated that all hearing panels “will” have an advisor, which was an error and not in line with current practice. The hearing panel chair may request an advisor or the SCA may elect to be an advisor if the case warrants it (unique circumstances, attorneys involved, egregious charges, etc.).</p>	<p>Faculty, staff, and students. Faculty, staff, and students.</p>

<p>4. (a) (iii) Clarified that the respondent or complainant could ask for removal of a hearing panel member.</p>	<p>4. (a) (iii) Previously stated that the respondent or complainant could ask for removal of the Conduct Officer, which was an error as the Conduct Officer acts as the neutral party who investigates the complaint, and is a required party to all hearings.</p>	<p>N/A</p>
<p>4. (d) Combined Deliberations and Sanctioning into one process.</p>	<p>4. (d) Previously the procedure separated these two processes; however, the hearing panel almost always does them at the same time since there is no need to have two closed sessions.</p>	<p>N/A</p>
<p>5. (a) (iii) & (b) (iv) Clarified responsibility for communication with advisors.</p>	<p>5. (a) (iii) & (b) (iv) Clarified that students must communicate information about meetings and hearings with their advisor themselves, as this would otherwise violate FERPA.</p>	<p>Students</p>
<p>5. (a) (v) & (b) (vi) Allowed for the right to request a hearing to be rescheduled.</p>	<p>5. (a) (v) & (b) (vi) This is common practice but was not previously in writing.</p>	<p>Students</p>
<p>7. Clarified notification to student groups.</p>	<p>7. Clarified that notification for any proceedings including student groups goes to the President.</p>	<p>Students</p>
<p>7. (a) Removed time limits on status sanctions.</p>	<p>7. (a) Removed time limits from status sanctions to allow greater flexibility in sanctioning. Also in line with other state schools' practice.</p>	<p>Faculty, staff, students.</p>
<p>8. Changed "interim suspension" to "interim measures".</p>	<p>8. Replaced term "interim suspension" with "interim measures", which allows greater flexibility in creating interim measures that do the least harm to students involved in a conduct case throughout the investigation and hearing process.</p>	<p>Faculty, staff, students.</p>
<p>9. (a) Changed time for filing an appeal from "7 days" to "5 University working days."</p>	<p>9. (a) Standardizes language used throughout by moving to "University working days." Also allows for extended University breaks (storms, power outages, etc.).</p>	<p>Faculty, staff, students.</p>
<p>9. (h) Added opportunity for other party to provide a response to a request for appeal.</p>	<p>9. (h) Based on best practices and guidance by ATIXA. This ensures that an appellate hearing body considers input from both parties, especially in cases where the complainant and respondent are both students.</p>	<p>Faculty, staff, students.</p>
<p>9. (j) Removed ability for appellate hearing body to change the outcome or sanctioning on a case.</p>	<p>9. (j) Based on best practices and guidance by ATIXA, an appellate hearing body should not be able to overturn the original hearing decision as they did not hear the case firsthand. Therefore, if the appellate hearing body determines that there was an error/issue with the original hearing, they would make a recommendation to the SCA to remand the hearing to the original hearing panel for reconsideration, under the advisement of the SCA.</p>	<p>Students.</p>

<p>11. (b) Clarified record keeping time limits for student groups/organizations.</p>	<p>11. (b) Clarified that student group/organization records are kept indefinitely when sanctions include suspensions or expulsions.</p>	
<p>ARTICLE V. ACADEMIC INTEGRITY VIOLATION PROCEDURES Reorganized this section to make it flow more easily.</p> <p>General. (c) Added clarification that this is the only process by which faculty may address alleged violations of the academic integrity policy.</p> <p>2. (b) Added clarification about how the process works if the course is remote/online.</p> <p>2. (e) (iii) & (iv) Added clarification that the chair and dean are signing the Academic Integrity Form only as acknowledgement of receipt.</p> <p>3. Added this section for clarification.</p> <p>4. Added this section for clarification.</p> <p>5. (b) & (c) Added clarification that only faculty with graduate instructor status and graduate students may sit on the hearing panel for cases involving graduate students.</p> <p>6. (d) (ii) & (iii) Clarified purpose of attendance by chair and dean.</p> <p>6. (d) (v) Clarified that high school students may have two advisors.</p> <p>9. Added an open option for additional appropriate sanctions.</p>	<p>As this process was newly introduced in June 2016, user (faculty) feedback was considered, and the section was reorganized overall to make it easier to read, follow, and interpret.</p> <p>(c) Ensures that faculty understand that it is a requirement to follow the process outlined herein to ensure students' due process rights.</p> <p>2. (b) Did not previously provide any guidance.</p> <p>2. (e) (iii) & (iv) This is based on feedback and concerns of chairs and deans from the previous year.</p> <p>3. Language used herein is from the previous version, but was pulled into a single section to clarify what should occur if a student fails to respond to the allegations made against them.</p> <p>4. Language used herein is from the previous version, but was pulled into a single section to clarify which cases will go to a hearing.</p> <p>5. (b) & (c) Based on feedback from Dean of Graduate Studies.</p> <p>6. (d) (ii) & (iii) Based on feedback from chairs and deans.</p> <p>6. (d) (v) Clarified this to ensure that students receive due process rights and, if they are minors, also have parental support available.</p> <p>9. Based on feedback from faculty, chairs, and deans- it was unclear that they could offer other appropriate sanctions.</p>	<p>Students, faculty, department chairs, deans.</p> <p>Students, faculty, department chairs, deans.</p> <p>Department chairs, deans.</p> <p>Students, faculty, department chairs, deans.</p> <p>Students, faculty, department chairs, deans.</p> <p>Students, faculty, department chairs, deans.</p> <p>Department chairs, deans.</p> <p>Students.</p> <p>Students, faculty, department chairs, deans.</p> <p>Students, faculty, department chairs, deans.</p>
<p>Appendix A. and B. updated. Academic Integrity Form Student Conduct Agreement Form Both forms were updated based on feedback from users (Conduct Officers, students, faculty) over the past year.</p>	<p>Forms were first introduced in June 2016 to assist with consistency in both processes. Forms were well-received, but suggestions from users were incorporated to make forms easier for all parties to use.</p>	<p>Students, faculty, staff, department chairs, deans.</p>

SEPTEMBER 2017 SUBMISSION

3356-8-01.1 The Student Code of Conduct

Responsible Division/Office: Student Experience
Responsible Officer: Associate VP for Student Experience
Revision History: March 1998; December 2010; June 2016
Board Committee: Academic Quality and Student Success
Effective Date: September 7, 2017
Next Review: 2020

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- (A) Policy statement/preamble. Youngstown state university (“YSU”) is a student-centered institution committed to the education, development, well-being, and success of students of all ages and from all walks in life. In concert with our mission to help students grow intellectually, we strive to foster their personal, social, emotional, and career growth, as well as their capacities for lifelong learning, civic responsibility and leadership.

As a campus community, we expect all conduct to be rooted in integrity, mutual respect, and civility. We value ethical behavior in scholarly and other endeavors; believe in the dignity and worth of all people; strive to foster an appreciation of, and respect for, differences among the human race; and celebrate the diversity that enriches the university and the world. As a member of a higher education community, students have an obligation to conduct themselves in a manner that is compatible with the university’s purposes as an institution of higher education. Each student is expected to be fully acquainted with all published policies, procedures, and regulations of the university and is held responsible for compliance with them. All members of the university community are expected to assume responsibility for creating an environment conducive to the educational mission and purpose of the university.

The policies and regulations in “The Student Code of Conduct” have been established to ensure a positive educational experience for every student. “The Student Code of Conduct” serves as an official university document that outlines conditions and regulations considered essential to the effective functioning of the university.

The student conduct process at Youngstown state university adheres to procedural due process and is intended to be part of the educational process at the university. This student conduct process provides a forum

for the impartial and expedient resolution of alleged misconduct in the university community and encourages students to live responsibly and be accountable for their actions. The student conduct process is based on the university's commitment to developing integrity, respect, and responsibility among all students.

(B) Article I. Rights and responsibilities.

- (1) Basic rights. The following enumeration of basic rights shall not be construed to deny or disparage other rights and privileges retained by students in their capacity as members of the student body or as citizens of the community at large:
 - (a) The right of free inquiry, expression, and/or assembly.
 - (b) The right to pursue educational goals and appropriate opportunities for learning in the classroom, on campus, and online.
 - (c) The right to be secure in their persons, living quarters, papers, and effects against unreasonable searches and seizures.
 - (d) The right to retain ownership of class projects/assignments authored by a student and submitted to fulfill requirements of a course, except as provided by section 3345.14 of the Revised Code.
- (2) Basic responsibilities. Students, as members of the university community, shall have the following responsibilities which are inherent in the basic rights delineated in this paragraph:
 - (a) To maintain standards of academic performance as established by their faculty.
 - (b) To be responsible for acting in such a manner as to ensure other students the basic rights enumerated in this policy.
 - (c) To be responsible for their actions with respect to, and to follow, all university regulations and policies.

- (d) To be responsible for their actions with respect to provisions of local, state, and federal law.
- (e) To conduct themselves in a manner which helps to create and maintain a learning atmosphere in which the rights, dignity, and worth of every individual in the university community are respected.
- (f) To have in their possession a valid university identification card when on university premises.
- (g) To be responsible for adhering to the university's "Drug-free environment" policy (university policy 3356-7-20 and rule 3356-7-20 of the Administrative Code).
- (h) To ensure adherence to all university board of trustees' policies that apply to students.

(C) Article II. Student conduct authority. The president has delegated the authority for the university student conduct system to the associate vice president for student experience. The associate vice president for student experience, or designee, serves as the student conduct administrator responsible for the administration and operation of "The Student Code of Conduct" and the student conduct process. Members of the university seeking formal disciplinary action for alleged student misconduct should make referrals to the office of student conduct.

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The student conduct administrator shall determine the composition of student conduct bodies and appellate hearing panels.

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The student conduct administrator shall develop policies for the administration of the student conduct system and procedural rules for the conduct of hearings that are consistent with provisions of "The Student Code of Conduct". The student conduct officer shall be the associate director for student conduct. The student conduct administrator may also appoint one (1) or more deputy conduct officers to review reports of violations of "The Student Code of Conduct" and to conduct investigations. Deputy conduct officers shall be under the supervision of the student conduct officer and/or the student conduct administrator.

(1) Jurisdiction of "The Student Code of Conduct."

- (a) “The Student Code of Conduct” shall apply to conduct which adversely affects the university community or interferes with the pursuit of its mission or educational objectives and programs whether it occurs on university premises, at university sponsored activities, or on non-university premises. It is important to note that a student and/or group/organization will be subject to the university student conduct process where the conduct has occurred on non-university premises when the conduct adversely affects the university community or interferes with the pursuit of its mission or educational objectives and programs.
- (b) Students shall be responsible for their conduct from the time of application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment (and even if the conduct is not discovered until after a degree is awarded). “The Student Code of Conduct” shall apply to a student’s conduct even if the student withdraws from the university while an investigation into alleged of misconduct is pending.
- (c) An incident which results in a charge under “The Student Code of Conduct” may also lead to a proceeding outside of the university for a violation of local, state, or federal law. In these instances, university proceedings are not subject to challenge based on concurrent criminal or civil proceedings or that such proceeding has been or will be dismissed, reduced, withdrawn, resolved or settled. The university will cooperate, to the extent permitted by law, with law enforcement and other agencies in the enforcement of all laws. In all cases, hearings within the university will be held according to the student conduct procedures set forth in in this policy. Since the university student conduct process is educational in nature, differing judgments may result.
- (2) Campus student organizations. Registered student organizations may exist for any appropriate purpose that does not conflict with

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university policies and regulations or with local, state, and/or federal laws. The development of policies and guidelines for student organizations is the responsibility of the associate vice president for student experience or designee. The policies and regulations that apply to student groups/organizations are outlined in the “Penguin Student Handbook” which houses all of the student organization’s policies. Student groups/organizations that violate any of the student organization policies may be charged with violating “The Student Code of Conduct” and be subject to the student conduct procedures set forth in this policy.

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(3) Student conduct authority.

(a) The enforcement of regulations, policies, and guidelines that apply to students, student organizations/groups are within the jurisdiction of the associate vice president for student experience, or designee.

(b) Any internal college, departmental, or program processes used to address alleged violations of policy or concerns about student conduct are secondary to the processes outlined herein.

(c) Student groups and registered student organizations may be charged with violations of “The Student Code of Conduct” in the following circumstances:

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(i) An organization is responsible for its actions and shall be held responsible when the organization fails to comply with the university’s student organization policies, and/or university policies or regulations.

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(ii) An organization is responsible for its actions and shall be held responsible when the organization fails to comply with city, state, or federal law.

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(iii) A student group (as defined in the glossary of terms section of this policy) or registered student organization and its officers may be held collectively or individually responsible for violations of “The Student Code of Conduct.”

- (D) Article III. Student conduct standards/prohibited conduct. The student conduct process aspires to develop and maintain conduct standards in support of character, civility, and community. This section of “The Student Code of Conduct” provides a set of expectations regarding student conduct in support of the university community.

A student or student group/organization may be charged with violating any student conduct standard. In cases where a violation is committed by a member of a student group/organization, the entire group/organization may be held responsible in addition to the student when those members of the group/organization not directly involved participate in the activity by encouraging, witnessing, or condoning the act in any manner. The following behavior is subject to disciplinary action under “The Student Code of Conduct”:

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- (1) Academic integrity. Violations of academic integrity include:

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- (a) Plagiarism, which includes the use by paraphrase or direct quotation of the published or unpublished work of another person without full and clear acknowledgement; the unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials; or the misrepresentation of another person’s work as one’s own.

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- (b) The use of any unauthorized assistance or tools:
 - (i) In taking quizzes, tests, assignments, or examinations;
 - (ii) When completing assignments, solving problems, or carrying out other assignments as detailed in the course syllabus or in other instructions by the instructor.
- (c) The acquisition, without permission, of tests or other academic material belonging to a member of the university faculty or staff.

- (d) Engaging in any behavior specifically prohibited by a faculty member in the course syllabus or class discussion.
- (e) Inappropriate collaboration, including working together on assignments or projects to an extent not permitted by the instructor.
- (f) Multiple submissions of the same work, including submitting the same or parts of the same assignment for multiple classes without permission from the instructor.
- (g) Fabrication of data, including presenting fictitious data relating to experiments, changing of data obtained from sources, and citing non-existent sources.
- (h) Bribes, threats, or intimidation including exchange of payment for assignments or parts of assignments, and threats to entice others to engage in violations of the academic integrity policy.
- (l) Impersonation, pretending to be another person in the completion of a quiz, exam, or other assignment.
- (j) Altering or destroying the work of others unless given permission.
- (k) Lying in order to obtain an academic advantage, which includes falsification of documents or other information used to request make-up work.
- (l) Assisting another person in any of the behaviors mentioned above is itself academic dishonesty.
- (m) Asking others to engage in any of the behavior described above is academic dishonesty;
- (n) Attempting to engage in any of the above behaviors is academic dishonesty.

(2) Alcohol.

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(a) Use or possession of alcoholic beverages, except as permitted by law and university policy.

~~(b)~~ Public intoxication.

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~~(c)~~ Manufacturing, or distribution of alcoholic beverages to any person under twenty-one years of age except as permitted by law.

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(3) Bullying and harassment. Unwelcome or unreasonable behavior that harasses or intimidates people either as individuals or as a group and is sufficiently severe or pervasive from both a subjective (the complainant's) and an objective (reasonable person) viewpoint. Bullying and harassing behavior is often persistent and part of a pattern, but it can also occur as a single incident. It is usually carried out by an individual but can also be an aspect of group behavior (see university policy 3356-2-03, "Discrimination/harassment," and rule 3356-2-03 of the Administrative Code, for prohibited conduct based on individual's sex, race, color, religion, national origin, age, sexual orientation, gender identity and/or expression, disability, or veteran/military status or any other basis protected by law).

Deleted: (c) All residents and guests in university housing are prohibited from use or possession of alcoholic beverages, regardless of age, except as permitted by policy or terms of lease.¶

(4) Complicity. Allowing or enabling a violation to occur, failing to report a violation, or concealing, condoning, supporting, or encouraging a violation or an attempted violation.

(5) ~~Student~~ conduct system.

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(a) Failure to obey the summons of a student conduct body or university official to appear for a meeting or hearing as part of the student conduct ~~process~~.

Deleted: Abuse of the student conduct system, including but not limited to:

(b) Falsification, distortion, or misrepresentation of information before a student conduct body.

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(c) Institution of a student conduct proceeding knowingly without cause.

- (d) Attempting to discourage an individual’s proper participation in, or use of, the student conduct system.
- (e) Attempting to influence the impartiality of a member of a student conduct body prior to and/or during the course of the student conduct process.
- (f) Harassment (verbal or physical) and/or intimidation of a member of a student conduct body, ~~participants, or witnesses~~, prior to, during or after a student conduct proceeding.
- (g) Failure to comply with the sanction(s) imposed by a student conduct body.
- (h) Influencing or attempting to influence another person to commit an abuse of the student conduct system.
- (i) Disruption or interference with the orderly conduct of a student conduct proceeding.

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(6) Disorderly conduct. Conduct which is disorderly, lewd, or indecent; a breach of peace; obstructs teaching, research, administration, or university activities or functions.

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(7) Drugs.

(a) Use, possession, manufacturing, or distribution of marijuana, heroin, narcotics, or other controlled substances in either refined or crude form, including the use of drug-related paraphernalia.

~~(b) The misuse of materials as an intoxicant.~~

~~(c) Use of prescription drugs in any way other than as prescribed. Distribution of prescription drugs to anyone other than the person to whom they are prescribed.~~

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Deleted: a licensed physician. No student shall sell or give drugs to
Deleted: any other person.

(8) Failure to comply. Failure to comply with directions and/or oral or written instructions which are given by any university official, student, faculty member, or staff who is acting in an official

university capacity and/or failure to identify oneself to these persons when requested to do so.

- (9) Financial obligations. Failure to meet all financial obligations to the university.
- (10) Gambling. Gambling or wagering of any form except as expressly permitted by law and/or university policy.
- (11) Hazing. An act which endangers the mental or physical health or safety of a student or which destroys or removes public or private property for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization.
- (12) Information technology. Theft or other abuse of information technology and resources, including, but not limited to:
 - (a) Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
 - (b) Unauthorized transfer of a file.
 - (c) Unauthorized use of another individual's identification and password.
 - (d) Use of computing facilities and resources to interfere with the work of another student, faculty member, or university official.
 - (e) Use of computing facilities and resources to send obscene or abusive messages.
 - (f) Use of computing facilities and resources to interfere with the normal operation of the university computing system originating from an on-campus or off-campus source.
 - (g) Use of computing facilities and resources in violation of copyright laws.

- (h) Any violation of the university's "Acceptable use of university resources" policy (university policy 3356-4-09 and rule 3356-4-09 of the Administrative Code).

(13) Dishonesty.

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- (a) Furnishing false information to any university official, faculty member, or office.
 - (b) Forgery, alteration, or misuse of any university document, record, credit card, or instrument of identification.
 - (c) Tampering with the election of any university recognized student organization.
 - (d) Deliberately misleading or intentionally failing to maintain correct address and telephone information with the registrar.
 - (e) Misrepresenting enrollment status and/or achievement at the university to non-university officials and/or on non-university documents.
- (14) Obstruction of traffic. Obstruction of the free flow of pedestrian or vehicular traffic on university premises or at university sponsored or supervised functions.
- (15) Endangering behavior.
- (a) Intentionally, knowingly or recklessly causing physical harm to another person or their property or engaging in conduct which threatens or causes a reasonable apprehension of harm to the health, safety, life, or property of a person including one's self.
 - (b) Entering false fire alarms, bomb threats, or tampering with fire extinguishers, alarms, smoke detectors, or other safety equipment.
- (16) Property damage. Any action which damages or could reasonably damage property of the university, or property of a member of the

university community, or other personal or public property, on or off campus, or acts of vandalism even if this behavior does not cause damage.

- (17) Published university policies. Violation of published university policies, rules, or regulations including those available electronically on the university website.
- (18) Sexual misconduct. A broad range of behaviors including sexual assault, dating violence, domestic violence, stalking, voyeurism, and any other conduct of a sexual nature that is nonconsensual, or is carried out through force, threat, intimidation or coercion.
Please see university's "Sexual misconduct" policy (university policy 3356-2-03.1 and rule 3356-4-09 of the Administrative Code) for further information.
 - (a) Sexual assault. Any intentional, non-consensual and/or coerced sexual contact. Physical resistance need not occur to meet the definition of sexual assault.
 - (b) Consent. Sexual activity requires consent, which is defined as positive, unambiguous, voluntary and on-going agreement to engage in a specific activity. Consent must be freely and affirmatively given. Consent cannot be obtained from someone through coercion or from someone who is unconscious, asleep, or whose judgment is impaired by the use of a drug or alcohol, or diminished by an intellectual, mental or physical condition or disability. Consent may be withdrawn at any time.
 - (c) Coercion. Intimidation, physical or psychological threat, or pressure used to force another to engage in sexual acts.
 - (d) Stalking. Repeated behaviors or activities whether in person, online, or through any other means which threaten or endanger the safety, physical or mental health, life or property of another or creates a reasonable fear of such threat or action.
 - (e) Dating violence: Violence or abusive behavior (sexual, physical, or threat of violence) committed by a person who

is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship is determined based on a consideration of the length and type of relationship, and the frequency of interaction between the persons involved in the relationship.

- (f) Domestic violence: Violence or abusive behavior (sexual, physical or threat of violence) used to maintain control or power within a current or former relationship and which is committed by any of the following:
- (i) A current or former spouse or intimate partner of the victim;
 - (ii) A person with whom the victim shares a child in common;
 - (iii) A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
 - (iv) By any other person against an adult or youth victim under the domestic or family violence laws of the state of Ohio (see section 2919.25 of the Revised Code, "Domestic Violence").
- (e) Sexual exploitation. Sexual exploitation occurs when a person takes non-consensual or abusive sexual advantage of another for his/her own benefit or advantage or to benefit or advantage anyone other than the person being exploited, and that behavior does not otherwise constitute another form of sexual misconduct. Examples of sexual exploitation include, but are not limited to, prostituting another, non-consensual video or audio-taping of sexual activity, permitting others to secretly observe or record consensual activity, or engaging in voyeurism.
- (d) Sex offenses. See Chapter 2907 of the Revised Code which defines "Sex Offenses" under Ohio law.

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(19) Theft. Attempted or actual theft, including possession of stolen property.

Deleted: (i) Please see university's "Sexual misconduct" policy . (university policy 3356-2-03.1 and rule 3356-4-09 of the Administrative Code).

(20) Unauthorized entry.

(a) Unauthorized entry to or use of university premises, including access to residential spaces other than one's own assigned space.

(b) Unauthorized possession, duplication, or use of keys to any university premises.

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(21) Unauthorized recording.

(a) Unauthorized use of electronic or other devices to make an audio or video record or photograph of any person while on university premises without their prior knowledge or without their effective consent when such a recording or photograph is likely to cause injury or distress, except as otherwise permitted by law.

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(b) Unauthorized distribution or dissemination of an audio or video recording or photograph of any person without their prior knowledge or consent, even if the recording or photograph originally had been produced with the person's consent, when such a recording or photograph is likely to cause injury or distress, except as otherwise permitted by law.

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(22) Violation of law. (a) Behavior which would constitute a violation of federal, state, or local law that adversely affects the university community or interferes with the university's mission or its educational objectives and programs.

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(b) Since the university student conduct process is educational in nature and differing judgements may result between university action and outside legal action, the university in its sole discretion may pursue student conduct action and impose sanctions against a student for a violation of law:

- (i) Regardless of where the behavior occurs;
 - (ii) When a student is charged with a violation of law but not with any other violation of The Student Code of Conduct;
 - (iii) When a student is charged with a violation of law which is also a violation of The Student Code of Conduct;
 - (iv) While the student is also subject to criminal proceedings, arrest and/or prosecution or civil litigation.
- (c) University conduct action may be carried out prior to, simultaneously with, or following civil or criminal proceedings.
- (d) The university will cooperate, to the extent permitted by law, with law enforcement and other agencies in the enforcement of all laws and will not request or agree to special consideration for an individual because of that individual's status as a student.
- (23) Weapons. Illegal or unauthorized possession of firearms, fireworks, explosives, other weapons, or dangerous chemicals on university premises or use of any such item, even if legally possessed, in a manner that harms, threatens, or causes fear to others.
- (E) Article IV. Student conduct procedures.
- (1) General. This overview gives a general idea of how the university's campus student conduct proceedings work, but it should be noted that not all situations are of the same severity or complexity. Thus, while consistency in similar situations is a priority, these procedures are flexible, and are not exactly the same in every situation.

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Deleted: (b) If a student is charged only with an off-campus violation of federal, state, or local laws, but not with any other violation of "The Student Code of Conduct," student conduct action may result and sanctions may be imposed for misconduct that adversely affects the university community or interferes with the university's mission or its educational objectives and programs. The university, at its sole discretion, may pursue action against a student while the student is also subject to criminal or civil proceedings. In all cases, hearings within the university will be held according to the procedures set forth in paragraph (H) of this policy. Since the university student conduct process is educational in nature, differing judgments may result.¶

(c) University student conduct proceedings may be instituted against a student charged with a violation of law which is also a violation of "The Student Code of Conduct," for example, if both violations result from the same factual situation, without regard to the pendency of civil litigation in court or criminal arrest and prosecution. Proceedings under "The Student Code of Conduct" may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus.¶

(d) When a student is charged by federal, state, or local authorities with a violation of law, the university will not request or agree to special consideration for that individual because of that person's status as a student. The university will cooperate, to the extent permitted by law, with law enforcement and other agencies in the enforcement of all laws.¶

(a) These proceedings are administrative procedures and do not follow the specific steps, methods, or standards of proof of evidence used in civil or criminal courts.

(b) Any member of the university community may report alleged violations of "The Student Code of Conduct" by a student or a student group/organization

The report shall be prepared in writing and directed to the office of student conduct. A report of a violation of "The Student Code of Conduct" shall be submitted as soon as possible after the incident occurs, but not later than thirty days following the university becoming aware of an incident. Exceptions to this limitation period will be reviewed by the student conduct administrator and may be granted in their discretion.

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(c) The student conduct officer shall review reports of violation(s) and may initiate investigations of possible violation(s) of "The Student Code of Conduct" to determine if the charges have merit. In reviewing the reports, the student conduct officer will determine whether the alleged violation(s) may be resolved through a conduct conference or a conduct hearing. Students or student groups/organizations that might be subject to university suspension or expulsion shall automatically be provided a student conduct board hearing.

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(d) The standard of proof utilized in all university student conduct proceedings shall be a preponderance of evidence.

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(2) Student conduct conference.

(a) Any student, student group, or student organization (hereinafter referred to as the respondent) who has been charged with an alleged violation of the student

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conduct standards of “The Student Code of Conduct” will first be scheduled for a conduct conference with the conduct officer, review the allegation. The respondent, notified in writing via their official university email address, of the date, time, and location of the conduct conference. Written notification will include:

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- (j) The specific charges pending against the respondent;
- (ji) A brief summary of the referral;
- (jii) Statement of rights and responsibilities; and
- (jv) If applicable, a statement notifying the respondent that the alleged conduct is significant enough that they may face suspension or expulsion if the charge is substantiated.

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

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(c) If the respondent accepts responsibility for the charge(s), the conduct officer will sanction the respondent as part of the conduct conference. The respondent will be asked to sign a conduct agreement, which will outline all of the sanctions offered to the respondent. While the student may sign the

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agreement immediately, they have up to three university working days to do so. The respondent has the option to accept the charge(s) but contest the sanction(s) or agree to both the charge(s) and sanction(s). Once the agreement is signed, the decision is final and there is no appeal process. If the respondent denies responsibility for one or more of the charges, the conduct officer will refer the case for a student conduct board hearing.

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(3) Student conduct board hearing.

(a) The purpose of a hearing is to provide an equitable forum for the review of the available information regarding an alleged incident of misconduct. The student conduct board hearing panel will decide by the preponderance of evidence whether or not the respondent is found responsible for the charge(s). All hearings are closed to the public, with the exception of advisors for the complainant and respondent and the hearing panel. All parties directly participating in the hearing (the respondent, complainant, and conduct officer) may remain present the entire time, excluding deliberations.

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(b) Student conduct board hearing panels consist of three members of the student conduct board. Each student conduct board hearing will have a hearing panel chair. The chair is responsible for keeping the proceedings moving forward.

(c) If the respondent fails to appear at a scheduled student conduct board hearing and the absence is not excused, the hearing may proceed in the respondent's absence or may be rescheduled at the discretion of the chair.

(d) Each student conduct board hearing panel may have a hearing panel advisor, at the discretion of the chair or the student conduct administrator. The role of the hearing panel advisor is to ensure the student conduct process is adhered to and to answer procedural questions posed by any party during the hearing. The hearing

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~~panel~~ advisor will also keep the proceedings focused on issues relevant to the specific allegations. The hearing ~~panel~~ advisor, ~~may~~ be summoned by ~~the~~ ~~hearing panel~~ during ~~and provide guidance~~ deliberations to answer questions ~~as~~ ~~necessary~~.

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(4) Hearing procedures.

(a) Guidelines.

(i) The chair will explain the rights and responsibilities of the ~~respondent~~ and the complainant.

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(ii) The chair ~~and hearing~~ ~~panel~~ advisor, ~~are~~ responsible for well as the process adhered to during the ~~assuring~~ that these rights as described in this section are hearing.

(iii) The respondent or the complainant, ~~may~~ ask for the removal of a ~~hearing panel~~ ~~member~~ by providing written or verbal evidence of bias. ~~The~~ charge of bias is made to the chair who will determine whether it is valid. If the charge of bias is against the chair, the hearing ~~panel~~ advisor shall decide whether it is valid. If bias is found, ~~or is unable to~~ ~~be determined~~, the hearing will be rescheduled.

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(iv) The ~~conduct~~ officer may ask questions of any party at any time throughout the hearing.

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(v) The chair ~~and hearing panel advisor~~ ~~are~~ responsible for determining the relevancy of questions asked during a hearing ~~and~~

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~~may~~ deem certain questions irrelevant and not allow them to be answered. ~~(vi)~~ The chair may exclude persons from the hearing if they are disruptive or postpone the hearing because ~~of~~

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disruptive behavior by participants or observers.

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(b) Introduction.

(i) Each party in the room will introduce themselves and explain their role in the hearing.

(ii) The chair will then explain the process and procedures for the hearing.

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(iii) All witnesses will then be dismissed from the room.

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(c) Presentation of information.

(i) Following the introduction, the chair will present the respondent with the charges against them. The respondent will respond to each charge by acknowledging that they are responsible for the charge or by denying responsibility for the charge.

(ii) The conduct officer will explain why the case was referred for a hearing and will provide a detailed summary of the incident and any subsequent investigation undertaken.

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(iii) If there is a complainant, they will then have an opportunity to provide the hearing panel with a summary of their role and perspective on the incident. The complainant may be represented by the conduct officer.

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(iv) The hearing panel will then ask the respondent to describe their involvement in the matter at hand as it pertains to the charges being considered in the hearing.

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(v) The conduct officer will then present any relevant witnesses or documentary information.

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The respondent, and complainant, will each in turn have the opportunity to ask questions regarding the information presented by the conduct officer to this point.

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(vi) The respondent will then present any relevant witnesses or documentary information to the hearing panel. The hearing panel and the conduct officer will each in turn have the opportunity to ask questions regarding the information presented by the respondent to this point.

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(vii) The conduct officer will have an opportunity to make a summary statement including any sanctioning recommendations.

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(viii) The complainant will have an opportunity to make a summary statement including any sanctioning recommendations.

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(ix) The respondent will have an opportunity to make a summary statement including any sanctioning recommendations.

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(d) Deliberation and finding.

(i) The hearing panel will go into closed session to determine by the preponderance of evidence whether the respondent will be found responsible for the charge(s) pending in this matter. Student conduct hearing panels determine findings by majority vote.

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(ii) If the respondent is found responsible for a violation of one or more of the pending charges, the hearing panel will proceed to sanctioning. At this time, the hearing panel will be presented with any relevant information pertaining

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to the respondent's prior student conduct cases and sanctions.

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Deleted: (i) The staff member from the office of student conduct will give an overview of the respondent's

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Deleted: (ii) If the respondent was presented with a possible sanction during their student conduct conference, the staff member from the office of student conduct will share that proposed sanction with the student conduct board.

(iii) The hearing will reconvene for the announcement of the findings and any subsequent sanction(s). In student conduct board hearings, the sanction(s) are recommended to the associate vice president for student experience or designee, who will make the final decision. While normally the recommendation will be the sanction imposed, the associate vice president for student experience or designee may impose a different sanction.

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(iii) The student conduct board will consider the following in determining a sanction: ¶

¶ (a) Statements and evidence presented at the hearing;¶

¶ (b) Seriousness of the violation;¶

¶ (c) Prior disciplinary record of the respondent; and¶

¶ (d) Disciplinary precedent.¶

¶ (iv) The student conduct board will go into closed session to determine a sanction.¶

(iv) Written notification of the decision will be sent to the respondent and complainant via their official university email addresses.

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(5) Student rights and responsibilities. The following rights and responsibilities apply to those involved in a matter being addressed by the student conduct process.

(a) Rights of respondent. All respondents in the student conduct process have the following rights:

(i) Written notice of the charge(s) made against them and the basis of the allegation that led to the charge(s).

(ii) In matters that could result in a sanction of suspension or expulsion, the above mentioned notification will alert the respondent to the possible severity of the outcome.

- (iii) The right to an advisor. It is the respondent's responsibility to communicate all necessary information regarding the student conduct process and proceedings with the advisor, unless the respondent signs an authorization for the release of information, thus allowing the office of student conduct to communicate directly with the advisor.
- (iv) To request reasonable accommodations due to disability. (See "Reasonable accommodation for students with disabilities, paragraph (E)(6) of this policy).
- (v) To make a request for a change of date for a student conduct proceeding, so long as the request is made no less than 48 hours in advance of the initially scheduled proceeding. Rescheduled proceedings will generally occur within three university working days of the initially scheduled proceeding.
- (vi) Reasonable access to inspect and review their own case file, which includes all information that would be used during the student conduct process, to the extent permitted by confidentiality laws.
- (vii) Explanation of the resolution options available to them through the student conduct process.
- (viii) To be presumed not responsible for an alleged violation until found in violation by a preponderance of the evidence.
- (ix) To speak or not speak on their own behalf.
- (x) The opportunity to respond to information used as part of the decision-making process.
- (xi) To deny responsibility for the charge(s) facing them and request that the case be referred to a student conduct board hearing.

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(xi) To question any witness who participates as part of a hearing.

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(xiii) The right to appeal.

(xiv) To waive any of the above stated rights provided that the waiver is made freely and in writing.

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(b) Rights of the complainant. All complainants in the conduct process have the following rights:

(i) To pursue criminal or civil charges where a legal case exists (without university assistance).

(ii) Explanation of the resolution options available to them through the conduct process.

(iii) To be free from harassment and intimidation from respondents and others as they engage in this process.

(iv) The right to an advisor. It is the complainant's responsibility to communicate all necessary information regarding the student conduct process and proceedings with the advisor, unless the complainant signs an authorization for the release of information, thus allowing the office of student conduct to communicate directly with the advisor.

(v) To request reasonable accommodations due to disability. (See "Reasonable accommodation for students with disabilities," paragraph (E)(6) of this policy).

(vi) To make a request for a change of date for a student conduct proceeding, so long as the request is made no less than 48 hours in advance of the initially scheduled proceeding. Rescheduled proceedings will generally occur within three university working days of the initially scheduled proceeding.

- (vii) To provide information for consideration during the conduct process, and to know the results of the process to the extent allowed under federal laws and university policies.
- (viii) The opportunity to appear at any hearing that may take place in order to provide relevant information.
- (ix) The opportunity to submit a written impact statement for use in a hearing, even if the complainant chooses not to attend the hearing.

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(c) Responsibilities of respondents, complainants, and witnesses. All respondents, complainants, and witnesses in the conduct process have the following responsibilities:

- (i) To be honest and forthright in all information they provide during the student conduct process. Presenting false and misleading information during this process is a violation of student conduct standards as outlined in this policy.
- (ii) To attend all scheduled meetings, conferences, or hearings, unless alternate arrangements are made in advance.
- (iii) To refrain from disruption of the hearing process. Disruption of this process is a violation of this policy. (See “Student conduct standards/ prohibited conduct,” section (D) of this policy.)
- (iv) Respondents have the responsibility to prepare and present their entire case as well as secure the presence of any witnesses who will speak on their behalf.

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(6) Reasonable accommodation for students with disabilities. Any student with a disability involved in the student conduct process has the right to request reasonable accommodation in order to ensure their full and equal participation. Students wishing to request reasonable accommodations should make those requests

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directly to the center for student progress (“CSP”) disability services. Students do not have to disclose information about the complaint or charge to CSP disability services to request reasonable accommodation, except to the extent that it may assist in the determination of reasonable accommodations. Accommodations are determined on an individual basis by CSP disabilities services staff and implemented in consultation with the office of student conduct. Examples of reasonable accommodation include sign language interpretation, real-time communication access during hearings, large print documents, extended time to review documents, or assistance with transcribing questions during interviews or hearings.

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(7) Sanctions. If the student or student group/organization is found in violation of any policy, sanctions will be issued. A conduct sanction imposed or other action taken by any student conduct body shall become effective upon written notification to the respondent. The notification will be sent to the respondent’s official university email account. In cases involving a student group/organization, notification will be sent to the official university email account for the president or student group/organization leader. The decision of a student conduct body may be appealed in writing pursuant to paragraph (E) (9) of this policy. If the respondent files a request for, and if the appeal is denied, the sanction shall take effect upon exhaustion of the appeals process and shall be retroactive to the effective date stated in the original notification to the respondent.

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(a) The following sanctions may be imposed upon any student who has been found responsible for a violation of “The Student Code of Conduct”. Sanctions are typically issued in a progressive fashion, however each situation differs, and many factors, including the severity of a violation and the impact of the violation on the campus community will be taken into consideration in determining sanctioning.

(i) Warning. A written notification statement that the student is violating or has violated “The Student Code of Conduct.” Continuation or repetition of inappropriate conduct may be cause for increased sanctioning.

(ii) Conduct probation. Notice in writing that the violation of "The Student Code of Conduct" is serious, and that any subsequent violation(s) of university regulations may result in imposition of additional restrictions or conditions, suspension or expulsion.

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(iii) Conduct probation with restrictions. Notice in writing that the violation of university regulations is a serious and that any subsequent violation(s) of "The Student Code of Conduct" may result in suspension or expulsion. In addition, an order preventing the student from holding university elective office, student employment, participating in any intercollegiate activity or sport, participating in any university sponsored program/organization, or representing the university in any other manner will be attached to this sanction.

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(iv) Restitution. Compensation for loss, damage, or injury. This may take the form of appropriate service or monetary or material replacement.

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(v) Educational sanctions. Other sanctions may be imposed instead of, or in addition to, those specified above. These may include community service, counseling, educational assignments, or other similar sanctions designed to assist the respondent in reflecting upon their behavior and the impact of their behavior on self or others.

(vi) Deferred suspension. Separation of the student from the university and/or residence halls is deferred for a specified period, of time. If the student is found in violation of any subsequent violations of "The Student Code of Conduct," the suspension takes

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effect immediately and may not be appealed.

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(vii) Residence hall suspension. Separation of the student from the residence halls for a specified period of time, after which time the student is eligible to return. During the suspension period, the student is prohibited from accessing any university housing facilities. This may include residential dining facilities.

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(viii) University suspension. Separation of the student from the university for a specified period of time, after which time the student is eligible to return. During the suspension period, the student does not have access to the university and is prohibited from participating in any academic or other university activities. This may include residential dining facilities.

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(ix) Residence hall expulsion. Permanent separation of the student from the residence halls. An expulsion denies the student access to all university housing facilities on a permanent basis. This may include residential dining facilities.

(x) University expulsion. Permanent separation of the student from the university. An expulsion denies the student access to the university, including any campus facilities, any campus programs or activities, and any class sessions on a permanent basis.

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(xi) Revocation of admission and/or degree. Revocation of admission to or awarding of a degree from the university for fraud, misrepresentation, or other violation of university standards in obtaining the degree, or for serious violations committed by a student prior to graduation.

(xii) Withholding degree. Withholding the awarding of a degree otherwise earned until the completion of the process set forth in “The Student Code of Conduct,” including the completion of all sanctions imposed, if any.

(xiii) Fines. Fines for violations of “The Student Code of Conduct” will be assessed and charged to the student’s account. A list of fines for all violations will be determined at the discretion of the associate vice president for student experience, who will submit a list of the fines structure to the university board of trustees for approval on an annual basis. The fines structure must be included as a part of “The Student Code of Conduct” when published and presented to students.

(b) More than one of the sanctions listed above may be imposed for any single violation.

(c) The following sanctions may be imposed upon student groups/organizations:

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(i) Those sanctions as outlined in paragraph (E)(7) of this policy.

(ii) Deactivation. Loss of all privileges, including university recognition, for a specified period of time.

(d) In each case in which a student conduct body determines that a student or student group/organization has violated “The Student Code of Conduct”, the sanction(s) shall be determined and imposed by the same student conduct body. The student conduct administrator shall be responsible for ensuring that sanctions imposed by hearing panels and conduct officers are consistent with the violation and sanctions imposed for similar other similar cases in violations.

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(8) Interim measures. In certain circumstances, the associate vice president for student experience may impose an interim measure prior to a student conduct board hearing or conduct conference this includes, _____ university or residence hall suspension,

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(a) Interim measures may be imposed only:

(i) To ensure the safety and well-being of members of the university community or to preserve university property;

(ii) To ensure the respondent's own physical or emotional safety and well-being;

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(iii) If the respondent poses a threat of disruption or interference with the normal operations of the university; or

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(iv) If the respondent is charged with the commission of a criminal offense as defined in _____ section 2901.01 of the Revised Code.

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(b) In the event that an interim measure is imposed, the student or student group/organization will be notified either in person or by regular U.S. or certified mail of the cause for the interim measure. The respondent will also be notified via their official university email address. The interim measure becomes effective immediately upon notification. A hearing panel will convene as expeditiously as possible to review the case. The hearing will follow the procedures outlined in paragraph (E)(4) of this policy and may proceed before, during, or after any criminal proceedings.

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(c) In the case of an interim suspension, the student or student group/ organization shall be denied access to all housing facilities and/or to the campus (including classes) and/or all other university activities or privileges for which the student or student group/organization might otherwise be eligible, unless determined otherwise by the student conduct administrator.

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(9) Appeals.

(a) The decision or sanction imposed by a student conduct body may be appealed by the respondent or complainant (“the appellant”) within five university working days of notification of the decision. If an appeal is not received within this time frame, the decision reached by the student conduct body will be final.

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(b) Requests for appeals shall be made in writing and shall be e-mailed or delivered to the office of student conduct. The request for appeal should indicate the grounds on which the decision is being appealed, referencing at least one of the grounds for the appeal (see paragraph (E)(9)(d) of this policy) along with supporting information.

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(c) Once a request for appeal has been submitted and, until the appeal decision has been communicated to the appellant, all sanctions except any issued as interim measures, such as interim suspensions, will be held in abeyance.

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(d) Appellate hearings are not a re-hearing of the student conduct case. Except as required to explain the basis of new evidence, an appellate hearing shall be limited to review of the record of the initial hearing and supporting documents for one or more of the following grounds:

(i) A claim that the original hearing was conducted in violation of procedural requirements set forth in “The Student Code of Conduct” and to determine whether these violations could have affected the outcome of the hearing.

(ii) A claim that the decision reached regarding the respondent did not have a reasonable basis for the conclusion reached and that it was not based on proof by a preponderance of the evidence.

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(iii) A claim that the sanction(s) imposed was/were disproportionate and without basis to the violation

of "The Student Code of Conduct" for which the respondent was found responsible.

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(iv) A claim that there is new information, sufficient to alter a decision or other relevant facts not presented in the original hearing because such information and/or facts were not known by the appellant at the time of the original hearing.

(e) The burden of proof rests with the appellant.

(f) The appellant may, in preparing the request for appeal, have access to records of the case, which must be reviewed in the office of student conduct.

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(g) A request for appeal in a case adjudicated by a conduct officer will be reviewed by the student conduct administrator. A request for appeal in a case adjudicated by a student conduct board hearing panel will be reviewed by an appellate hearing panel. An appellate hearing panel is composed of three members from the student conduct board selected by the student conduct administrator.

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(h) Once a request for appeal has been submitted by the complainant or respondent, the other party shall receive a copy of the request for appeal and may submit a written response to the request for appeal, which will be considered alongside the request for appeal. Any written response must be submitted within five university working days of notification of the submission of a request for appeal.

(i) The appellate hearing panel or the student conduct administrator will review the appeal to determine whether one of the grounds listed in this policy has been met.

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(j) If an appellate hearing panel or student conduct administrator determines that a request for appeal has met one or more of the grounds, the following options are available:

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(i) Remand the case to the original panel for reconsideration consistent with the granted grounds for appeal.

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(ii) Uphold the original decision.

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(k) If the appellate hearing panel or student conduct administrator determines that the request for appeal does not meet one of the grounds, the appeal will be dismissed and the original decision will be upheld.

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(l) The decision of the appellate hearing panel or student conduct administrator after an appellate review is final.

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(v) The appeals body may deny the appeal.

(10) Conduct procedures for university housing. Deputy conduct officers have been designated by the student conduct administrator to assist in the review of alleged violations of policy originating within university housing.

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(a) The responsibility for the enforcement of rules and regulations governing student conduct in the residence halls, as outlined in the "Resident Handbook," is delegated by the student conduct administrator to a conduct officer.

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(b) Any student, faculty member, or university official may file a written report against any student living in a residence hall for alleged violations of policy within the residence hall, campus dining facilities, or at any residence hall function.

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(c) Upon receipt of a written report, the conduct officer will conduct an investigation to determine whether there is reasonable cause to believe that a violation of "The Student Code of Conduct" may have occurred. If the conduct officer believes that such a violation did occur they

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will follow the procedures outlined in section (E)(4) of this policy to address the alleged violation.

- (11) Student conduct record. The student conduct administrator shall maintain all student conduct records of information received and action taken by the respective student conduct bodies.
 - (a) Conduct sanctions shall not be made part of the student’s academic record but shall become part of the student’s conduct record. Student conduct records shall be expunged seven years after final disposition of the case, excluding students who were sanctioned with residence hall expulsion, university suspension, university expulsion, or revocation or withholding of a degree which shall be expunged fifteen years after final disposition of the case resulting in such action. Upon graduation, the student may petition the student conduct officer for removal of all files contained in their student conduct records. The student may appeal a negative response of the student conduct officer the student conduct administrator.
 - (b) Records regarding university expulsion or university suspension of a student group/organization shall be kept indefinitely.
 - (c) All material gathered from a substantiated conduct case (residence hall, academic, and other) shall become part of any new case against the same respondent(s) after the new charges have been substantiated.
 - (d) Student conduct records are maintained only in the names of respondents found responsible for violations of university policy, local, state or federal law,
- (12) Special procedures. To ensure continued participation of students, faculty, and administration in the student conduct process and to ensure speedy disposition of conduct cases, the president of the university is empowered to develop a subcommittee structure in the event of a large number of student conduct cases. Such subcommittee shall be empowered to hear and adjudicate cases in accordance with the provisions of “The Student Code of Conduct” and

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shall ensure that all elements of procedural due process delineated in this article are observed.

(F) Article V. Academic integrity violation procedures.

(1) General.

(a) Academic honesty is essential to the educational process and serves to protect the integrity of the university community. Therefore, all members of the university community have a responsibility for maintaining high standards of honesty and ethical practice. Cheating, plagiarism, and other forms of academic dishonesty constitute a serious violation of university policy, as outlined in ARTICLE III of this document. Students should consult with the faculty member if they are not sure what may constitute a violation of the academic integrity policy.

(b) Students suspected of violations of the academic integrity policy may be charged with a violation of university policy under the student conduct standards as outlined in ARTICLE III. 1. of this document. Cases of alleged violations of the academic integrity policy shall be resolved as outlined below.

(c) The process outlined below is the only approved process by which faculty members can address alleged violations of the academic integrity policy. Failure to follow this process or use of any process other than this will result in nullification of any charges against the student and nullification of any sanctions levied against the student. If, following nullification of the charges and sanctions, the faculty member refuses to rectify the impacted grades or assignments, the student has the right to file a grievance against the faculty member. Any internal college, departmental, or program processes used to address alleged violations of policy or concerns about student conduct are secondary to the processes outlined herein.

(2) Academic integrity conference.

(a) After the faculty member has gathered evidence of a possible violation, they shall notify the student within forty-eight hours in writing, via university email, of the allegations

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and invite the student to participate in an integrity conference. The faculty member may hold the conference without notification. This academic integrity

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conference shall occur within five university working days of the written notification to the student.

(b) The academic integrity conference is the first step in this process, and serves to provide the student with the opportunity to discuss the allegations made by the faculty member. During this meeting, the student should have the opportunity to address the allegations, and to review all relevant information and documentation to the allegations.

In situations where the course is taught primarily online and/or where the student is unable to physically present for the academic integrity conference, the meeting may be conducted via email, phone, or Skype, as appropriate. The faculty member may consult with the judicial chair of the academic grievance subcommittee or the office of student conduct for direction in such situations.

(c) If, after meeting with the student, the faculty member determines that no violation of the academic integrity policy occurred and/or the student is not responsible for a violation of the academic integrity policy, the faculty member can dismiss the charges by not filling out the academic integrity form.

(d) If the faculty member concludes that the student is responsible for a violation of the academic integrity policy, the faculty member shall select an appropriate sanction, as outlined in ARTICLE V. 3. of this document, and will complete the Academic Integrity Form. While the student may sign the form immediately, they have up to five university working days to do so. The student has the option to accept the charge but contest the sanction, or they can agree to both the charge and sanction.

(e) If the student signs the academic integrity form, acknowledging responsibility for the alleged violation and accepting the sanction, the decision is final and there is no appeal process.

(i) The student will return the form to the faculty member. The faculty member will sign the form, and will submit copies of any documentation or statements with the academic integrity form.

(ii) The faculty member will forward the form to the departmental chairperson for their signature. The departmental chairperson has the option to submit a written statement to be included with the academic integrity form. The departmental chairperson will forward the form to the departmental chairperson for acknowledgment. The departmental chairperson has the option to submit a written statement to be included with the academic integrity form.

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(iii) The chairperson will then forward the form and all documents to the dean for their signature, acknowledging the case has been brought to their attention. The dean has the option to submit a written statement to be included with the academic integrity form.

(iv) The dean will then forward the form and all documents to the office of student conduct to be placed in the student's file.

(v) The dean of graduate studies will be notified and provided a copy of the form and all documents for cases involving graduate students.

(vi) No further action is required unless the recommended sanction includes program removal, suspension, or expulsion. In cases where one of these sanctions is recommended, the case will be forwarded to the judicial chair of the academic grievance subcommittee for review.

(2) Failure to appear, respond or sign.

- (a) If the student fails to respond to the faculty member's request for an academic integrity conference, or fails to attend an academic integrity conference within five university working days of notice by the faculty member, the following will occur:
- (i) The faculty member will complete and sign the academic integrity form without the student's signature. They will then submit the form along with copies of any documentation or statements to the chairperson for their signature, acknowledging the case has been brought to their attention. The chairperson has the option to submit a written statement to be included with the form.
 - (ii) The chairperson will then forward the form and all documents to the dean for their signature, acknowledging the case has been brought to their attention. The dean has the option to submit a written statement to be included with the form.
 - (iii) The dean will then forward the form and all documents to the office of student conduct to be placed in the student's file. The office of student conduct will then forward the academic integrity form and all documents to the judicial chair of the academic grievance subcommittee for further action.
 - (iv) The dean of the college of graduate studies will be notified and provided a copy of the form and all documents for cases involving graduate students.
- (b) If the student declines to accept responsibility for the charges, and/or declines to accept the sanctions selected by the faculty member, the faculty member should complete the form as outlined above.

(3) Academic grievance subcommittee referrals

- (a) If the student declines to accept responsibility for the charges, and/or declines to accept the sanctions selected by the faculty member, the case will be referred to the office of student conduct and forwarded to the judicial chair to initiate a hearing before the academic grievance subcommittee.
- (b) Regardless of whether the academic integrity form is signed, in cases where program removal, suspension, or expulsion is recommended by the faculty member, the case will be referred to the office of student conduct and forwarded to the judicial chair to initiate a hearing before the academic grievance subcommittee. A representative from the office of student conduct must be present at all such hearings to serve in an advisory capacity.

(4) Academic grievance subcommittee structure:

- (a) Judicial chair. Associate provost for academic administration or designee appointed by the provost.
- (b) Faculty members are appointed by the academic senate and serve a two-year term. One faculty member shall be selected from each of the six colleges. At least three of these appointees will have graduate faculty status.

In cases involving graduate matters, only graduate faculty will be appointed. Six (6) faculty members with graduate faculty status will be appointed by graduate council to hear cases involving graduate students.

- (c) Undergraduate student members are appointed by the associate vice president for student experiences and serve a two-year term. In addition, six (6) graduate student, (preferably one from each college) will be appointed

Deleted: (ii) An academic integrity conference to discuss the allegations shall occur within seven working days of the written notification. If the student fails to attend a conference within seven working days, the following will occur: ¶

¶ (a) The faculty member will complete the academic integrity form and will forward this form (without the student's signature) to the departmental chairperson for signature. If the faculty member fails to submit the academic integrity form, the claim of academic dishonesty will be dismissed. ¶

¶ (b) The chairperson will then forward the form to the dean for their signature. ¶

Deleted: (c) The dean will then forward the form to the student conduct office to be placed in the student's file. The dean and chairperson have the option to submit written statements to be included with the academic integrity form. The dean of the college of graduate studies will be notified and provided a copy of the form for cases involving graduate students. ¶

¶ (d) The conduct office will forward the unsigned academic integrity form along with supporting documents to the judicial chair of the student academic grievance subcommittee for further action. ¶ ... [1]

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(i) Students must complete an application available through the office of student conduct.

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(ii) One undergraduate student member is selected from each of the six colleges.

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(iii) Students must have a minimum GPA of 2.5 for undergraduate students and a 3.0 for graduate students.

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(iv) Students must not have a previous student conduct record.

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(v) Students should be sophomore status or above.

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(5) Academic grievance subcommittee hearing procedures.

(a) In cases where the student failed to respond to a request from the faculty member for an academic integrity conference, cases where the student failed to return the signed academic integrity form to the faculty member within the given timeframe, cases wherein the student disputes the charges or sanctions, or in cases when the faculty member recommends program removal, suspension, or expulsion, a hearing by the academic grievance subcommittee is initiated.

(b) Within five university working days of receiving the academic integrity form and any supporting documentation of evidence from the faculty member, the judicial chair shall contact the student involved and request a statement and any documentation or evidence they would like to have considered in the hearing. The student will have five

university working days to submit these items to the judicial chair.

- (c) Within two university working days of receiving the statement and evidence, the judicial chair shall distribute copies of the academic integrity form and any documentation or evidence produced by the student and faculty member to the academic grievance subcommittee members, the student, faculty member, department chairperson, and appropriate dean. The academic integrity form, course syllabus (submitted by the faculty member, student, or both), and any documentation or evidence produced by the student, faculty member, chairperson, or dean compose the academic integrity packet.
- (d) A hearing date, time, and location for the academic grievance subcommittee hearing will be established by the judicial chair. Academic grievance subcommittee members shall have a minimum of three university working days to review all written materials in the academic integrity packet. The hearing notice shall be sent to the parties directly involved in the grievance procedure, excluding advisors and witnesses. Parties directly involved include:
- (i) Faculty/student. The party who files the academic integrity form and the party who is alleged to have violated the academic integrity policy. If either party cannot or refuses to attend the hearing, they may provide written statements to be submitted for evidence. Faculty members are permitted to have a substitute who will exercise all the rights and responsibilities of the absent faculty member.
- (ii) Department chairperson. The chairperson of the department in which the faculty member resides. The chairperson's attendance is optional. If the chairperson is in attendance they will be brought in to speak with the hearing panel after the presentation of information by the faculty member and student and without the faculty member or student present. The chairperson's role in the

hearing is to provide information on any knowledge they have of the case as well as to provide insight into and clarify any questions regarding the particular culture of the department or expectations of students in the department.

- (iii) Dean. The dean of the college in which the faculty member's department is housed. The dean's attendance is optional. In addition, the dean of graduate studies has the option to attend in cases that involve graduate students and graduate faculty members. If the dean is in attendance, they will be brought in to speak with the hearing panel after the presentation of information by the faculty member and student and without the faculty member or student present. The dean's role in the hearing is to provide information on any knowledge they have of the case as well as to provide insight into and clarify any questions regarding the particular culture of the department or expectations of students in the department.
- (iv) Academic grievance subcommittee hearing panel members. Derived from the membership of the student academic grievance subcommittee of the academic senate. At minimum, each hearing panel consists of three faculty members, three undergraduate students, and the judicial chair. In hearings involving allegations against a graduate student, graduate college representatives will form the hearing panel. The hearing panel conducts the formal hearing and renders a decision. No member of a hearing panel will hear a case directly involving themselves.
- (v) Advisors: The student and the faculty member may each avail themselves of the services of an advisor throughout the **academic integrity** process. An advisor may be drawn from within or outside the University community. Advisors may not present testimony or speak on behalf of the

party whom they are advising. They are permitted, however, to give notes or whisper instructions/advice to the party whom they are advising. Examples of advisors include a parent, attorney, clergy, other faculty member, or coach. The advisor may not be the chairperson or dean for the college in which the faculty member or student is housed. In situations where a graduate assistant is considered the instructor of record and is the party who submitted the academic integrity form, the chairperson may serve as an advisor to the graduate assistant and is permitted to stay throughout the hearing.

In cases in which the student is a dully enrolled high school and university student (through the Youngstown early college or the college credit plus program) the student may have both a parent and a secondary advisor present for the hearing.

(vi) Witness(es): Witnesses who have something to add to the hearing either in support of the faculty member or student are permitted. While the number of witnesses is not limited, the number of witnesses that present repetitive testimony may be limited at the discretion of the judicial chair.

(f) If the student or faculty member is unable to be physically present for the hearing, then both the faculty member and student will be made available for the hearing through the same electronic means in order to provide equal treatment to all parties. This may include either teleconference or Skype, as deemed appropriate by the judicial chair.

(6) Rights of hearing parties.

(a) The following rights are guaranteed to the student and the faculty member:

(i) The right to be present.

- (ii) The right to be accompanied by an advisor of their choice.
- (iii) The right to speak in support of their argument.
- (iv) The right to bring witnesses in support of their case.
- (v) The right to present any relevant information directly supporting their written items in the academic integrity packet, including oral testimony.
- (vi) The right to refute information presented.
- (vii) The right to consult with the judicial chair or the office of student conduct regarding the hearing, their testimony or the presentation of any testimony in support of their case.

(b) The judicial chair has the right to:

- (i) Limit the amount of time testimony is presented by any given individual;
- (ii) Remove disruptive individuals from the room;
- (iii) Ensure that only the members of the hearing panel, student, and faculty member are present in the room;
- (iv) Ensure that all witnesses remain outside the hearing room and are brought in and dismissed after their testimony is presented.
- (v) Extend the timeline for the hearing process.

(7) Deliberation and findings.

- (a) The hearing panel shall meet in closed session to review the information presented and reach a decision. The hearing panel shall vote using secret ballots tallied by the judicial

chair. The judicial chair will only vote in circumstances of a tie among the hearing panel members.

- (b) If the hearing panel determines that the student is responsible for a violation of the academic integrity policy, the hearing panel may consider previously resolved cases (on file with the office of student conduct) involving the student when assigning an appropriate sanction. The judicial chair will present such information to the hearing panel only after a determination of responsibility on the case in question has been reached.

The standard of proof utilized in all university student conduct proceedings shall be a preponderance of evidence. Preponderance of the evidence is known as the balance of probabilities, met if the proposition is more likely to be true than not true. Effectively, the standard is satisfied if there is greater than 50 percent chance that the proposition is true

- (c) Both parties shall be informed of the hearing panel's decision in writing within three university working days. This statement shall be prepared and signed by the judicial chair and forwarded to the office of student conduct, graduate school dean when appropriate, provost and all parties directly involved in the hearing, except advisors and witnesses.

(ii) Notice of the hearing panel's decision ends the academic grievance subcommittee's involvement in the disposition of the case.

(iii) A file of all pertinent documents for all academic integrity hearings shall be kept by the office of the provost and the office of student conduct.

(iv) Any change of grade as a result of the hearing panel's decision should be made by the faculty member and signed by the respective chairperson and/or dean within five university working days. If the faculty member, chairperson and/or dean refuse

to sign the grade change form, then the provost will do so.

(8) Appeals.

- (a) Only students may appeal the decision of the academic grievance subcommittee regarding for cases involving alleged violations of the academic integrity policy. The appeal can only be based on procedural violations and must be submitted within five university working days from the date on which the student was notified of the hearing panel's decision. The request for an appeal is submitted in writing to the judicial chair.
- (b) The judicial chair will forward the written appeal to the academic senate executive committee within two university working days.

 - (i) If the academic senate executive committee determines that no procedural violations occurred, or that any procedural violations were minor and did not affect the original hearing panel's decision, the original hearing panel's decision is upheld and the case is closed.
 - (ii) If the academic senate executive committee determines that procedural violations may have occurred and were potentially substantive enough to have affected the hearing panel's decision, the case will be referred to a three-person appellate hearing panel consisting of one student and two faculty members. This appellate hearing will take place within twelve university working days of receipt of the written appeal.
- (c) Appellate hearing panel.

 - (i) No member of the appellate hearing panel will hear a case directly affecting themselves.

- (ii) Prior to the appellate hearing, members of the appellate hearing panel shall review all relevant documents.
- (iii) The chair of the appellate hearing panel shall inform both parties of the decision as soon as reasonably possible. A written statement of the decision shall be prepared and signed by the chair of the appellate hearing panel, forwarded to the student, faculty member, office of student conduct, and office of the provost within five university working days of the decision via university email.
- (iv) A file of all pertinent documents for all appeals shall be kept by the office of student conduct and/or the office of the provost.
- (v) The decision reached by the appellate hearing panel is final and may not be appealed.
- (d) At the discretion of the chair of the appellate hearing panel, the timeline under the appeal process may be extended.
- (e) If the appeal results in a grade change, the grade change form should be completed by the faculty member and signed by the respective chairperson and/or dean within three university working days. If the faculty member, chairperson, and/or dean refuse to sign the grade change form, then the provost will do so.

(9) Sanctions. A list of possible sanctions and guide to selecting sanctions is available in the appendices. Sanctions for violations of the academic integrity policy may include, but are limited to, the following:

- (a) Issue an official warning.
- (b) Lowering the grade on the exam, paper or assignment in question.
- (c) Lowering the final grade for the course.

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(d) Requesting additional action from the academic grievance subcommittee, including removal from a course, removal from an academic program, university suspension, or expulsion.

(e) Other sanctions as deemed appropriate by the faculty member. The faculty member may consult with the judicial chair, office of student conduct, chairperson or dean regarding appropriate sanctions.

(10) Role of the student conduct administrator ("SCA"). The student conduct administrator or designee has the following responsibilities with regards to all cases involving alleged violations of the academic integrity policy

(a) To create/maintain a student conduct file containing the completed academic integrity form and supporting documents.

(b) To expunge all records as outlined in this policy.

(c) In cases where the academic integrity form is completed by all parties, they will acknowledge receipt of this form by emailing the student, faculty member, chairperson, and dean with a letter that details the resolution of the case.

(d) In cases where the student has already been found responsible for a previous academic integrity violation, any additional violation will result in a review of all cases by the office of student conduct for possible additional charges and sanctioning.

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Deleted: (5) Academic integrity hearing procedures.

Deleted: (a) In cases where the academic integrity form was not signed and/or was not returned to the faculty member, or the faculty member recommended university suspension or expulsion, a hearing of the academic grievance subcommittee is initiated.

(b) Within five university working days of receiving the academic integrity form and any supporting evidence from the faculty member, the judicial chair shall contact the student involved and request a statement [3]

Deleted: (d) A hearing date, time, and location for the academic integrity hearing [4]

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(G) Article VI. Section 3345.22 of the Revised Code, the "1219" hearing process.

(1) Background. Disruptive behavior and the "1219" procedure. The Ohio Campus Disruption Act, also known as Ohio House Bill 1219, is codified in sections 3345.22 and 3345.23 of the Revised Code. The purpose of the law is to protect university students, faculty, staff, and other members of the campus community from crimes of violence committed in the vicinity of the university or upon people or property at the university.

A "1219" hearing is appropriate when a student is arrested for a crime of violence committed on or near the university. If a student is convicted of an offense of violence that occurred on or near the university, the student will be automatically suspended pursuant to section 345.23 of the Revised Code. The purpose of the "1219" hearing is to remove students from campus who may be a threat to the safety and security of the student body or campus community.

(2) Definition of a "crime of violence." There are over 30 crimes of violence considered violations of the "1219" law, including but not limited to the following: arson, assault, burglary, domestic violence, discharged firearm, felonious assault, gross sexual imposition, inciting to violence, inducing panic, intimidation, kidnapping, menacing, murder, rape, riot, robbery, sexual battery, and voluntary manslaughter.

(3) Jurisdiction of the "1219" hearing.

(a) If a student is arrested for a crime of violence referenced in division (D) of section 3345.23 of the Revised Code, they may be temporarily suspended from the university, according to "The Student Code of Conduct," which is referred to as an interim suspension. This suspension will last during the process of the "1219" hearing and continue until the student meets with the office of student conduct. The results of the "1219" hearing discussed below does not alter the student's status under an interim suspension.

Deleted: (iii) Appeal panel.¶

¶ (a) No member of the appeal panel will hear a case directly affecting him/her.¶

¶ (b) Prior to the appeals review, members of the appeal panel shall review all submitted materials.¶

¶ (c) The chair of the appeal panel shall inform both parties of the decision as soon as reasonably possible.¶

¶ (d) A written statement of the decision shall be prepared and signed by the chair of the panel, forwarded to the student and faculty member and to the office of student conduct and/or office of the provost within five working days of the decision using university email address.¶

¶ (e) A file of all pertinent documents for all appeals shall be kept by the office of student conduct and/or office of the provost.¶

Deleted: (f) The decision reached by the appeal panel is final and may not be appealed.¶

¶ (iv) At the discretion of the chair of the appeal panel, the timeline under the appeal process may be extended.¶

¶ (a) If the appeal results in a grade change, the grade change form should be completed by the faculty member and signed by the respective chairperson and/or dean within three university working days. If the faculty member, chairperson and/or dean refuse to sign, then the provost will sign off on the grade change form.¶

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- (b) A "1219" hearing, which is distinctly separate from a conduct conference or a student conduct board hearing, will be held shortly after a student's arrest for a crime of violence. The hearing can be continued for good cause. The purpose of the "1219" hearing is to determine by a preponderance of the evidence whether the student committed an offense of violence.
- (c) If the referee, as appointed by the university (office of the general counsel), finds that the student did commit an offense of violence on or near the university, the referee will then determine if the student should be under strict probation or suspended from the university pending the outcome of the criminal case. However, as noted above if the student is under an interim suspension, the student will remain suspended, even if they only receive strict probation from the referee, until the conclusion of the student conduct process administered by the office of student conduct.
- (d) Following the "1219" hearing, the criminal case outcome will determine the student's status under section 345.23 of the Revised Code. If the student is convicted of an offense of violence in the criminal case, the student will be suspended from the university for at least one year.
- (e) Upon acquittal, or upon any final judicial determination not resulting in conviction of an offense of violence, the "1219" suspension automatically terminates and the student in question shall be reinstated and the record of the "1219" suspension expunged from the person's university record. The criminal process and "1219" hearing are separate. The outcome of the "1219" hearing has no bearing on the criminal case.
- (f) When a student is found not guilty, they may return to school, but upon conclusion of the "1219" hearing and possibly while the criminal case is still underway, the university may, and in nearly all cases, will initiate the student conduct process. The student may also be under the restriction of an interim suspension. Unless the student

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is not under an interim suspension or has been found responsible of a violation of “The Student Code of Conduct,” the student would be permitted to return to school.

(g) If the student is found guilty at the criminal trial for an offense of violence on or near the university, they will be suspended from Youngstown state university for the period of one year. The student will receive a written notice of the suspension from the _____ office of student conduct. The student must receive approval from the board of trustees to be permitted to return to the university. This one-year suspension will still be imposed even if the student is found not responsible for a violation of “The Student Code of Conduct.”

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(4) The “1219” hearing process. The “1219” hearing will be an adversary proceeding. Unlike a student conduct hearing, a “1219” hearing will be conducted by a referee appointed by the university. A university attorney will present the evidence at the hearing on behalf of the university. The student has the right to:

- (a) Be represented by an attorney.
- (b) To cross-examine witnesses called by the state (the university).
- (c) Call upon his/her own witnesses.
- (d) To present evidence.
- (e) To give a statement (but not required to do so). If the student does not appear at the hearing, the student will be suspended. In the absence of a waiver of the right against compulsory self-incrimination, the testimony of a student whose suspension is being considered, given at the hearing, shall not subsequently be used in any criminal proceeding against the student.

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(5) Burden of proof. Preponderance of the evidence is the standard use for all “1219” hearings. Preponderance of the evidence is

known as the balance of probabilities met if the proposition is more likely to be true than not true. Effectively, the standard is satisfied if there is greater than fifty per cent chance that the proposition is true. The referee must find that the student committed the offense by a preponderance of the evidence.

- (H) Article VII. Parental/guardian notification policy. Youngstown state university is committed to an educational environment that promotes the safety, responsible decision-making, and social and intellectual development of all students. Furthermore, the university is concerned with taking a proactive approach in regards to students who may be experiencing problems with alcohol or other drugs. It is the policy of Youngstown state university to notify parents of students under twenty-one years of age if such students have been found responsible for violating institutional policies regarding alcohol or other drugs, in an effort to create a positive support network for students.

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(1) Parameters.

- (a) This policy will be applied in situations where students under the age of twenty-one have been found responsible for a violation of university policies regarding drugs or alcohol.
- (b) The office of student conduct shall be responsible for administering all procedures of the parental/guardian notification policy.

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(2) Procedures.

- (a) Parents/guardians shall be notified when the underage student is found responsible for a violation of the drug or alcohol policies.
- (b) The associate vice president for student experience, or designee, may make an exception to the parental/guardian notification policy if in their judgment it is determined that harm would come to the student as a result of parental/guardian notification.

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(c) The notification will be provided in writing from the office of student conduct and will be mailed to the student’s home address.

(d) The notification letter will inform parents or guardians that their student has been found responsible for a violation of an alcohol or drug policy. Included with the letter will be answers to frequently asked questions. Parents or guardians will be encouraged to discuss the incident with the student.

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(e) The office of student conduct will be responsible for responding to questions from parents/guardians. If a parent or guardian is interested in reviewing their student’s conduct file, the student generally must sign a waiver to release this information. There are exceptions to this that will be determined on a case by case basis.

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(I) Article VIII. Interpretation and revisions. Any question of interpretation or application regarding “The Student Code of Conduct” shall be referred to the student conduct administrator for final determination.

“The Student Code of Conduct” shall be reviewed every three years under the direction of the student conduct administrator. Any member of the university community may recommend a change to “The Student Code of Conduct” to the associate vice president for student experience. The associate vice president for student experience shall distribute the recommendation to the appropriate areas and gather feedback. If the change is endorsed by the associate vice president for student experience, the change shall be presented to the board of trustees for adoption.

(J) Glossary of Terms, when used in “The Student Code of Conduct.”

(1) The term “academic grievance subcommittee” is a group of university students and faculty selected and trained to adjudicate hearings wherein a student has allegedly violated the academic integrity policy for the university. Each hearing has a hearing panel consisting of at least six members from the academic grievance subcommittee

Deleted: (1) The terms “accused student” or “respondent” shall mean any student accused of violating “The Student Code of Conduct.”

(2) The term “appellate hearing panel” shall mean any person or persons authorized on a case-by-case basis by the student conduct administrator to consider a request for appeal from a student conduct body’s determination that a student has violated “The Code of Student Conduct” or from the sanctions imposed by the student conduct body.

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(3) The terms “can,” “may,” or “should” specify a discretionary provision of “The Code of Student Conduct.”

(4) The term “complainant” shall mean any person who submits a referral alleging that a student violated “The Code of Student Conduct.”

(5) The term “deputy conduct officer” shall mean a university official authorized on a case-by-case basis by the student conduct administrator to serve as a charging administrator to review complaints, determine responsibility, and impose sanctions upon students found to have violated “The Student Code of Conduct.”

(6) The term “faculty member” shall mean any person employed by the university to conduct classroom or teaching activities or who is otherwise considered by the university to be a member of its faculty. In certain situations, a person may be both “student” and “faculty member.” One’s status in a particular situation shall be determined by the relevant circumstances.

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(7) The terms “file” or “records” mean information relating to a current or former student which is stored in a fashion that facilitates recovery of that information by reference to the individual in whatever form or medium such gathering of information is created, kept, or maintained.

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(8) The term “function” shall mean all student activities or events occurring at the university or sponsored by registered student organizations, groups, or members of the academic community.

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(9) The term “group” shall mean a number of students who are associated with each other and who have not complied with university requirements for registration as an organization.

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(10) The terms "hearing panel" or "hearing panel members" shall mean individuals who have been selected or assigned to adjudicate a hearing. These individuals are selected from a trained body, including the student conduct board and the academic grievance subcommittee.

(11) The term "hearing panel advisor" shall mean the student conduct administrator, or designee, or appointee. The hearing panel advisor has responsibility for ensuring that policies and procedures within this document are adhered to within any student conduct process. The hearing panel advisor may be involved in any part of the student conduct process, and may provide input or answers, or otherwise answer questions asked by any parties.

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(12) The term "may" is used in the permissive sense.

(13) The term "member of the university community" shall include any person who is a student, faculty member, university official, any other person employed by the university, or any person lawfully present on university premises.

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(14) The term "organization" shall mean a university-registered student organization which has complied with formal requirements of official registration.

(15) The term "policy" shall be defined as the written regulations of the university as found in, but not limited to, "The Student Code of Conduct," "Resident Handbook," "Penguin Student Handbook," the university website, undergraduate/graduate catalogs, university policies, and board of trustees policies.

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Deleted: The term "student conduct officer" is the associate director of student conduct who is the university official assigned to serve as the primary charging administrator by the student conduct administrator to review complaints, determine responsibility, and impose sanctions upon students found to have violated "The Student Code of Conduct."

Deleted: (10) The term "deputy conduct officer" shall mean a university official authorized on a case-by-case basis by the student conduct administrator to serve as a charging administrator to review complaints, determine responsibility, and impose sanctions upon students found to have violated "The Student Code of Conduct."

Deleted: (11) The term "student conduct administrator" is the associate vice president for student experience, or designee, who shall be responsible for the administration of the code and the university student conduct process.

Deleted: (12) The term "student conduct body" shall mean student conduct officer, any deputy conduct officer or the student conduct hearing panel authorized by the student conduct administrator to determine whether a student has violated "The Student Code of Conduct" and to recommend imposition of sanctions.

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Deleted: (15) The term "misconduct" means student behavior that violates codified or explicitly stated university rules and regulations, including but not limited to "The Student Code of Conduct."

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(16) The term "respondent" shall mean any student accused of violating "The Student Code of Conduct."

(17) The terms "shall," "must," "will," or "is required" specify a mandatory requirement of the code.

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(18) The term "student" shall include all persons registered for courses, seminars, and workshops at the university, either full-time or part-time, pursuing undergraduate, graduate, professional studies, or continuing education programs. Also included are those individuals accepted for admission or living in the residence halls, whether or not actually enrolled at the university.

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(19) The term "student conduct administrator" is the associate vice president for student experience, or designee, who shall be responsible for the administration of the code and the university student conduct process.

(20) The term "student conduct board" is a group of university students, staff, and faculty selected and trained to adjudicate hearings wherein students have allegedly violated university policy. Each hearing has a hearing panel consisting of three members from the student conduct board.

(21) The term "student conduct body" shall mean student conduct officer, any deputy conduct officer, or any hearing panel of the student conduct board authorized by the student conduct administrator to determine whether a student has violated "The Student Code of Conduct" and to recommend imposition of sanctions.

(22) The term "student conduct officer" is the associate director of student conduct who is the university official assigned to serve as the primary charging administrator by the student conduct administrator to review complaints, determine responsibility, and impose sanctions upon students found to have violated "The Student Code of Conduct."

(23) The term "student conduct board" is a group of campus students, staff and faculty selected and trained to adjudicate hearings wherein students are alleged to have violated university policy.

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- | ~~(2)~~ The terms “university” or “institution” mean Youngstown state university and collectively those responsible for its operation. Deleted: 20
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- | ~~(24)~~ The term “university premises” shall be defined as all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the university including adjacent streets, sidewalks, and parking lots. Deleted: 21

- | ~~(25)~~ The term “university official” shall mean any person employed by, appointed to, authorized to act on behalf of or performing administrative or professional work for the university. Deleted: 22

- | ~~(26)~~ The term “university working day” refers to any day of the week excluding Saturdays, Sundays, or official holidays. Deleted: 23

- | ~~(27)~~ The term “weapon” shall have the same meaning as in rule 3356-7-03 of the Administrative Code, “Possession of weapons on campus.” (See also university policy 3356-7-03, “Possession of weapons on campus.”) Deleted: 24

- | ~~(28)~~ All other terms have their natural meaning unless the context otherwise dictates. Deleted: 25

JUNE 2017 SUBMISSION

3356-8-01.1 “The Student Code of Conduct.”

Responsible Division/Office: Student Experience
Responsible Officer: Associate VP for Student Experience
Revision History: March 1998; December 2010; June 2016
Board Committee: Academic Quality and Student Success
Effective Date: June 14, 2017
Next Review: 2020

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- (A) Policy statement/preamble. Youngstown state university (“YSU”) is a student-centered institution committed to the education, development, well-being, and success of students of all ages and from all walks in life. In concert with our mission to help students grow intellectually, we strive to foster their personal, social, emotional, and career growth, as well as their capacities for lifelong learning, civic responsibility and leadership.

As a campus community, we expect all conduct to be rooted in integrity, mutual respect, and civility. We value ethical behavior in scholarly and other endeavors; believe in the dignity and worth of all people; strive to foster an appreciation of, and respect for, differences among the human race; and celebrate the diversity that enriches the university and the world. As a member of a higher education community, students have an obligation to conduct themselves in a manner that is compatible with the university’s purposes as an institution of higher education. Each student is expected to be fully acquainted with all published policies, procedures, and regulations of the university and is held responsible for compliance with them. All members of the university community are expected to assume responsibility for creating an environment conducive to the educational mission and purpose of the university.

The policies and regulations in “The Student Code of Conduct” have been established to ensure a positive educational experience for every student. “The Student Code of Conduct” serves as an official university document that outlines conditions and regulations considered essential to the effective functioning of the university.

The student conduct process at Youngstown state university adheres to procedural due process and is intended to be part of the educational process at the university. This student conduct process provides a forum

for the impartial and expedient resolution of alleged misconduct in the university community and encourages students to live responsibly and be accountable for their actions. The student conduct process is based on the university's commitment to developing integrity, respect, and responsibility among all students.

(B) Article I. Rights and responsibilities.

- (1) Basic rights. The following enumeration of basic rights shall not be construed to deny or disparage other rights and privileges retained by students in their capacity as members of the student body or as citizens of the community at large:
 - (a) The right of free inquiry, expression, and/or assembly.
 - (b) The right to pursue educational goals and appropriate opportunities for learning in the classroom, on campus, and online.
 - (c) The right to be secure in their persons, living quarters, papers, and effects against unreasonable searches and seizures.
 - (d) The right to retain ownership of class projects/assignments authored by a student and submitted to fulfill requirements of a course, except as provided by section 3345.14 of the Revised Code.
- (2) Basic responsibilities. Students, as members of the university community, shall have the following responsibilities which are inherent in the basic rights delineated in this paragraph:
 - (a) To maintain standards of academic performance as established by their faculty.
 - (b) To be responsible for acting in such a manner as to ensure other students the basic rights enumerated in this policy.
 - (c) To be responsible for their actions with respect to, and to follow, all university regulations and policies.

- (d) To be responsible for their actions with respect to provisions of local, state, and federal law.
- (e) To conduct themselves in a manner which helps to create and maintain a learning atmosphere in which the rights, dignity, and worth of every individual in the university community are respected.
- (f) To have in their possession a valid university identification card when on university premises.
- (g) To be responsible for adhering to the university's "Drug-free environment" policy (university policy 3356-7-20 and rule 3356-7-20 of the Administrative Code).
- (h) To ensure adherence to all university board of trustees' policies that apply to students.

(C) Article II. Student conduct authority. The president has delegated the authority for the university student conduct system to the associate vice president for student experience. The associate vice president for student experience, or designee, serves as the student conduct administrator responsible for the administration and operation of "The Student Code of Conduct" and the student conduct process. Members of the university seeking formal disciplinary action for alleged student misconduct should make referrals to the office of student conduct,

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The student conduct administrator shall determine the composition of student conduct bodies and appellate hearing panels.

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The student conduct administrator shall develop policies for the administration of the student conduct system and procedural rules for the conduct of hearings that are consistent with provisions of "The Student Code of Conduct". The student conduct officer shall be the associate director for student conduct. The student conduct administrator may also appoint one (1) or more deputy conduct officers to review reports of violations of "The Student Code of Conduct" and to conduct investigations. Deputy conduct officers shall be under the supervision of the student conduct officer and/or the student conduct administrator.

(1) Jurisdiction of "The Student Code of Conduct."

- (a) “The Student Code of Conduct” shall apply to conduct which adversely affects the university community or interferes with the pursuit of its mission or educational objectives and programs whether it occurs on university premises, at university sponsored activities, or on non-university premises. It is important to note that a student and/or group/organization will be subject to the university student conduct process where the conduct has occurred on non-university premises when the conduct adversely affects the university community or interferes with the pursuit of its mission or educational objectives and programs.
- (b) Students shall be responsible for their conduct from the time of application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment (and even if the conduct is not discovered until after a degree is awarded). “The Student Code of Conduct” shall apply to a student’s conduct even if the student withdraws from the university while an investigation into alleged of misconduct is pending.
- (c) An incident which results in a charge under “The Student Code of Conduct” may also lead to a proceeding outside of the university for a violation of local, state, or federal law. In these instances, university proceedings are not subject to challenge based on concurrent criminal or civil proceedings or that such proceeding has been or will be dismissed, reduced, withdrawn, resolved or settled. The university will cooperate, to the extent permitted by law, with law enforcement and other agencies in the enforcement of all laws. In all cases, hearings within the university will be held according to the student conduct procedures set forth in in this policy. Since the university student conduct process is educational in nature, differing judgments may result.
- (2) Campus student organizations. Registered student organizations may exist for any appropriate purpose that does not conflict with

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university policies and regulations or with local, state, and/or federal laws. The development of policies and guidelines for student organizations is the responsibility of the associate vice president for student experience or designee. The policies and regulations that apply to student groups/organizations are outlined in the "Penguin Student Handbook" which houses all of the student organization's policies. Student groups/organizations that violate any of the student organization policies may be charged with violating "The Student Code of Conduct" and be subject to the student conduct procedures set forth in this policy.

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(3) Student conduct authority.

(a) The enforcement of regulations, policies, and guidelines that apply to students, student organizations/groups are within the jurisdiction of the associate vice president for student experience, or designee.

(b) Any internal college, departmental, or program processes used to address alleged violations of policy or concerns about student conduct are secondary to the processes outlined herein.

(c) Student groups and registered student organizations may be charged with violations of "The Student Code of Conduct" in the following circumstances:

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(i) An organization is responsible for its actions and shall be held responsible when the organization fails to comply with the university's student organization policies, and/or university policies or regulations.

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(ii) An organization is responsible for its actions and shall be held responsible when the organization fails to comply with city, state, or federal law.

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(iii) A student group (as defined in the glossary of terms section of this policy) or registered student organization and its officers may be held collectively or individually responsible for violations of "The Student Code of Conduct."

- (D) Article III. Student conduct standards/prohibited conduct. The student conduct process aspires to develop and maintain conduct standards in support of character, civility, and community. This section of “The Student Code of Conduct” provides a set of expectations regarding student conduct in support of the university community.

A student or student group/organization may be charged with violating any student conduct standard. In cases where a violation is committed by a member of a student group/organization, the entire group/organization may be held responsible in addition to the student when those members of the group/organization not directly involved participate in the activity by encouraging, witnessing, or condoning the act in any manner. The following behavior is subject to disciplinary action under “The Student Code of Conduct”:

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- (1) Academic integrity. Violations of academic integrity include:

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- (a) Plagiarism, which includes the use by paraphrase or direct quotation of the published or unpublished work of another person without full and clear acknowledgement; the unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials; or the misrepresentation of another person’s work as one’s own.

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- (b) The use of any unauthorized assistance or tools:
 - (i) In taking quizzes, tests, assignments, or examinations;
 - (ii) When completing assignments, solving problems, or carrying out other assignments as detailed in the course syllabus or in other instructions by the instructor.
- (c) The acquisition, without permission, of tests or other academic material belonging to a member of the university faculty or staff.

(d) Engaging in any behavior specifically prohibited by a faculty member in the course syllabus or class discussion.

(e) Inappropriate collaboration, including working together on assignments or projects to an extent not permitted by the instructor.

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(f) Multiple submissions of the same work, including submitting the same or parts of the same assignment for multiple classes without permission from the instructor.

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(g) Fabrication of data, including presenting fictitious data relating to experiments, changing of data obtained from sources, and citing non-existent sources.

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(h) Bribes, threats, or intimidation including exchange of payment for assignments or parts of assignments, and threats to entice others to engage in violations of the academic integrity policy.

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(i) Impersonation, pretending to be another person in the completion of a quiz, exam, or other assignment.

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(j) Altering or destroying the work of others unless given permission.

(k) Lying in order to obtain an academic advantage, which includes falsification of documents or other information used to request make-up work.

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(l) Assisting another person in any of the behaviors mentioned above is itself academic dishonesty.

(m) Asking others to engage in any of the behavior described above is academic dishonesty;

(n) Attempting to engage in any of the above behaviors is academic dishonesty.

(2) Alcohol.

- (a) Use or possession of alcoholic beverages, except as permitted by law and university policy.
- ~~(b)~~ Public intoxication.
- ~~(c)~~ Manufacturing, or distribution of alcoholic beverages to any person under twenty-one years of age except as permitted by law.
- (3) Bullying and harassment. Unwelcome or unreasonable behavior that harasses or intimidates people either as individuals or as a group and is sufficiently severe or pervasive from both a subjective (the complainant's) and an objective (reasonable person) viewpoint. Bullying and harassing behavior is often persistent and part of a pattern, but it can also occur as a single incident. It is usually carried out by an individual but can also be an aspect of group behavior (see university policy 3356-2-03, "Discrimination/harassment," and rule 3356-2-03 of the Administrative Code, for prohibited conduct based on individual's sex, race, color, religion, national origin, age, sexual orientation, gender identity and/or expression, disability, or veteran/military status or any other basis protected by law).
- (4) Complicity. Allowing or enabling a violation to occur, failing to report a violation, or concealing, condoning, supporting, or encouraging a violation or an attempted violation.
- (5) ~~Student~~ conduct system.
- (a) Failure to obey the summons of a student conduct body or university official to appear for a meeting or hearing as part of the student conduct ~~process~~.
- (b) Falsification, distortion, or misrepresentation of information before a student conduct body.
- (c) Institution of a student conduct proceeding knowingly without cause.

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- (d) Attempting to discourage an individual's proper participation in, or use of, the student conduct system.
- (e) Attempting to influence the impartiality of a member of a student conduct body prior to and/or during the course of the student conduct process.
- (f) Harassment (verbal or physical) and/or intimidation of a member of a student conduct body, participants, or witnesses prior to, during or after a student conduct proceeding.
- (g) Failure to comply with the sanction(s) imposed by a student conduct body.
- (h) Influencing or attempting to influence another person to commit an abuse of the student conduct system.
- (i) Disruption or interference with the orderly conduct of a student conduct proceeding.

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(6) Disorderly conduct. Conduct which is disorderly, lewd, or indecent; a breach of peace; obstructs teaching, research, administration, or university activities or functions.

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(7) Drugs.

(a) Use, possession, manufacturing, or distribution of marijuana, heroin, narcotics, or other controlled substances in either refined or crude form, including the use of drug-related paraphernalia.

(b) The misuse of materials as an intoxicant.

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(c) Use of prescription drugs in any way other than as prescribed. Distribution of prescription drugs to anyone other than the person to whom they are prescribed.

(8) Failure to comply. Failure to comply with directions and/or oral or written instructions which are given by any university official, student, faculty member, or staff who is acting in an official

university capacity and/or failure to identify oneself to these persons when requested to do so.

- (9) **Financial obligations.** Failure to meet all financial obligations to the university.
- (10) **Gambling.** Gambling or wagering of any form except as expressly permitted by law and/or university policy.
- (11) **Hazing.** An act which endangers the mental or physical health or safety of a student or which destroys or removes public or private property for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization.
- (12) **Information technology.** Theft or other abuse of information technology and resources, including, but not limited to:
 - (a) Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
 - (b) Unauthorized transfer of a file.
 - (c) Unauthorized use of another individual's identification and password.
 - (d) Use of computing facilities and resources to interfere with the work of another student, faculty member, or university official.
 - (e) Use of computing facilities and resources to send obscene or abusive messages.
 - (f) Use of computing facilities and resources to interfere with the normal operation of the university computing system originating from an on-campus or off-campus source.
 - (g) Use of computing facilities and resources in violation of copyright laws.

- (h) Any violation of the university's "Acceptable use of university resources" policy (university policy 3356-4-09 and rule 3356-4-09 of the Administrative Code).
- (13) Dishonesty.
- (a) Furnishing false information to any university official, faculty member, or office.
- (b) Forgery, alteration, or misuse of any university document, record, credit card, or instrument of identification.
- (c) Tampering with the election of any university recognized student organization.
- (d) Deliberately misleading or intentionally failing to maintain correct address and telephone information with the registrar.
- (e) Misrepresenting enrollment status and/or achievement at the university to non-university officials and/or on non-university documents.
- (14) Obstruction of traffic. Obstruction of the free flow of pedestrian or vehicular traffic on university premises or at university sponsored or supervised functions.
- (15) Endangering behavior.
- (a) Intentionally, knowingly or recklessly causing physical harm to another person or their property or engaging in conduct which threatens or causes a reasonable apprehension of harm to the health, safety, life, or property of a person including one's self.
- (b) Entering false fire alarms, bomb threats, or tampering with fire extinguishers, alarms, smoke detectors, or other safety equipment.
- (16) Property damage. Any action which damages or could reasonably damage property of the university, or property of a member of the

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university community, or other personal or public property, on or off campus, or acts of vandalism even if this behavior does not cause damage.

- (17) Published university policies. Violation of published university policies, rules, or regulations including those available electronically on the university website.
- (18) Sexual misconduct. A broad range of behaviors including sexual assault, dating violence, domestic violence, stalking, voyeurism, and any other conduct of a sexual nature that is nonconsensual, or is carried out through force, threat, intimidation or coercion.
Please see university's "Sexual misconduct" policy (university policy 3356-2-03.1 and rule 3356-4-09 of the Administrative Code) for further information.

- (a) Sexual assault. Any intentional, non-consensual and/or coerced sexual contact. Physical resistance need not occur to meet the definition of sexual assault.

- (b) Stalking. Repeated behaviors or activities whether in person, online, or through any other means which threaten or endanger the safety, physical or mental health, life or property of another or creates a reasonable fear of such threat or action.

- (c) Dating violence: Violence or abusive behavior (sexual, physical, or threat of violence) committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship is determined based on a consideration of the length and type of relationship, and the frequency of interaction between the persons involved in the relationship.

- (d) Domestic violence: Violence or abusive behavior (sexual, physical or threat of violence) used to maintain control or power within a current or former relationship and which is committed by any of the following:

Deleted: (b). Consent. Sexual activity requires consent, which is defined as positive, unambiguous, voluntary and on-going agreement to engage in a specific activity. Consent must be freely and affirmatively given. Consent cannot be obtained from someone through coercion or from someone who is unconscious, asleep, or whose judgment is impaired by the use of a drug or alcohol, or diminished by an intellectual, mental or physical condition or disability. Consent may be withdrawn at any time.¶

¶ (c) Coercion. Intimidation, physical or psychological threat, or pressure used to force another to engage in sexual acts.

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- (i) A current or former spouse or intimate partner of the victim;
- (ii) A person with whom the victim shares a child in common;
- (iii) A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
- (iv) By any other person against an adult or youth victim under the domestic or family violence laws of the state of Ohio (see section 2919.25 of the Revised Code, "Domestic Violence").

(g) Sexual exploitation. Sexual exploitation occurs when a person takes non-consensual or abusive sexual advantage of another for his/her own benefit or advantage or to benefit or advantage anyone other than the person being exploited, and that behavior does not otherwise constitute another form of sexual misconduct. Examples of sexual exploitation include, but are not limited to, prostituting another, non-consensual video or audio-taping of sexual activity, permitting others to secretly observe or record consensual activity, or engaging in voyeurism.

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(h) Sex offenses. See Chapter 2907 of the Revised Code which defines "Sex Offenses" under Ohio law.

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(19) Theft. Attempted or actual theft, including possession of stolen property.

Deleted: (i) Please see university's "Sexual misconduct" policy (university policy 3356-2-03.1 and rule 3356-4-09 of the Administrative Code).

(20) Unauthorized entry.

(a) Unauthorized entry to or use of university premises, including access to residential spaces other than one's own assigned space.

(b) Unauthorized possession, duplication, or use of keys to any university premises.

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(21) Unauthorized recording.

(a) Unauthorized use of electronic or other devices to make an audio or video record or photograph of any person while on university premises without their prior knowledge or without their effective consent when such a recording or photograph is likely to cause injury or distress, except as otherwise permitted by law.

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(b) Unauthorized distribution or dissemination of an audio or video recording or photograph of any person without their prior knowledge or consent, even if the recording or photograph originally had been produced with the person's consent, when such a recording or photograph is likely to cause injury or distress, except as otherwise permitted by law.

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Deleted: (b) If a student is charged only with an off-campus violation of federal, state, or local laws, but not with any other violation of "The Student Code of Conduct," student conduct action may result and sanctions may be imposed for misconduct that adversely affects the university community or interferes with the university's mission or its educational objectives and programs. The university, at its sole discretion, may pursue action against a student while the student is also subject to criminal or civil proceedings. In all cases, hearings within the university will be held according to the procedures set forth in paragraph (H) of this policy. Since the university student conduct process is educational in nature, differing judgments may result.¶

(22) Violation of law. Behavior which would constitute a violation of federal, state, or local law that adversely affects the university community or interferes with the university's mission or its educational objectives and programs

(23) Weapons. Illegal or unauthorized possession of firearms, fireworks, explosives, other weapons, or dangerous chemicals on university premises or use of any such item, even if legally possessed, in a manner that harms, threatens, or causes fear to others.

¶

(c) University student conduct proceedings may be instituted against a student charged with a violation of law which is also a violation of "The Student Code of Conduct," for example, if both violations result from the same factual situation, without regard to the pendency of civil litigation in court or criminal arrest and prosecution. Proceedings under "The Student Code of Conduct" may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus.¶

(E) Article IV. Student conduct procedures.

(1) General. This overview gives a general idea of how the university's campus student conduct proceedings work, but it should be noted that not all situations are of the same severity or complexity. Thus, while consistency in similar situations is a priority, these procedures are flexible, and are not exactly the same in every situation.

(d) When a student is charged by federal, state, or local authorities with a violation of law, the university will not request or agree to special consideration for that individual because of that person's status as a student. The university will cooperate, to the extent permitted by law, with law enforcement and other agencies in the enforcement of all laws.¶

(a) These proceedings are administrative procedures and do not follow the specific steps, methods, or standards of proof of evidence used in civil or criminal courts.

(b) Any member of the university community may report alleged violations of "The Student Code of Conduct" by a student or a student group/organization

The report shall be prepared in writing and directed to the office of student conduct. A report of a violation of "The Student Code of Conduct" shall be submitted as soon as possible after the incident occurs, but not later than thirty days following the university becoming aware of an incident. Exceptions to this limitation period will be reviewed by the student conduct administrator and may be granted in their discretion.

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(c) The student conduct officer shall review reports of violation(s) and may initiate investigations of possible violation(s) of "The Student Code of Conduct" to determine if the charges have merit. In reviewing the reports, the student conduct officer will determine whether the alleged violation(s) may be resolved through a conduct conference or a conduct hearing. Students or student groups/organizations that might be subject to university suspension or expulsion shall automatically be provided a student conduct board hearing.

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(d) The standard of proof utilized in all university student conduct proceedings shall be a preponderance of evidence.

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(2) Student conduct conference.

(a) Any student, student group, or student organization (hereinafter referred to as the respondent) who has been charged with an alleged violation of the student

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conduct standards of “The Student Code of Conduct” will first be scheduled for a conduct conference with the conduct officer, assigned to review the allegation. The respondent will be notified in writing via their official university email address, of the date, time, and location of the conduct conference. Written notification will include:

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(i) The specific charges pending against the respondent;

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(ii) A brief summary of the referral;

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(iii) Statement of rights and responsibilities; and

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(iv) If applicable, a statement notifying the respondent that the alleged conduct is significant enough that they may face suspension or expulsion if the charge is substantiated.

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

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(c) If the respondent accepts responsibility for the charge(s), the conduct officer will sanction the respondent as part of the conduct conference. The respondent will be asked to sign a conduct agreement, which will outline all of the sanctions offered to the respondent. While the student may sign the

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agreement immediately, they have up to three university working days to do so. The respondent has the option to accept the charge(s) but contest the sanction(s) or agree to both the charge(s) and sanction(s). Once the agreement is signed, the decision is final and there is no appeal process. If the respondent denies responsibility for one or more of the charges, the conduct officer will refer the case for a student conduct board hearing.

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(3) Student conduct board hearing.

(a) The purpose of a hearing is to provide an equitable forum for the review of the available information regarding an alleged incident of misconduct. The student conduct board hearing panel will decide by the preponderance of evidence whether or not the respondent is found responsible for the charge(s). All hearings are closed to the public, with the exception of advisors for the complainant and respondent and the hearing panel. All parties directly participating in the hearing (the respondent, complainant, and conduct officer) may remain present the entire time, excluding deliberations.

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(b) Student conduct board hearing panels consist of three members of the student conduct board. Each student conduct board hearing will have a hearing panel chair. The chair is responsible for keeping the proceedings moving forward.

(c) If the respondent fails to appear at a scheduled student conduct board hearing and the absence is not excused, the hearing may proceed in the respondent's absence or may be rescheduled at the discretion of the chair.

(d) Each student conduct board hearing panel may have a hearing panel advisor, at the discretion of the chair or the student conduct administrator. The role of the hearing panel advisor is to ensure the student conduct process is adhered to and to answer procedural questions posed by any party during the hearing. The hearing

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panel advisor will also keep the proceedings focused on issues relevant to the specific allegations. The hearing panel advisor, may be summoned by the hearing panel during deliberations to answer questions and provide guidance as necessary.

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(4) Hearing procedures.

(a) Guidelines.

(i) The chair will explain the rights and responsibilities of the respondent and the complainant,

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(ii) The chair and hearing panel advisor, are responsible for assuring that these rights as well as the process described in this section are adhered to during the hearing.

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(iii) The respondent or the complainant, may ask for the removal of a hearing panel member by providing written or verbal evidence of bias. The charge of bias is made to the chair who will determine whether it is valid. If the charge of bias is against the chair, the hearing panel advisor shall decide whether it is valid. If bias is found, or is unable to be determined, the hearing will be rescheduled.

(iv) The conduct officer may ask questions of any party at any time throughout the hearing.

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(v) The chair and hearing panel advisor are responsible for determining the relevancy of questions asked during a hearing and

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may deem certain questions irrelevant and not allow them to be answered. (vi) The chair may exclude persons from the hearing if they are disruptive or postpone the hearing because of

- Deleted: In student conduct board hearings, the hearing board advisor may assist the chair in those determinations. ¶

disruptive behavior by participants or observers.

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(b) Introduction.

(i) Each party in the room will introduce themselves and explain their role in the hearing.

(ii) The chair will then explain the process and procedures for the hearing.

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(iii) All witnesses will then be dismissed from the room.

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(c) Presentation of information.

(i) Following the introduction, the chair will present the respondent with the charges against them. The respondent will respond to each charge by acknowledging that they are responsible for the charge or by denying responsibility for the charge.

(ii) The conduct officer will explain why the case was referred for a hearing and will provide a detailed summary of the incident and any subsequent investigation undertaken.

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(iii) If there is a complainant, the hearing panel will then have an opportunity to provide a summary of their role and perspective on the incident. The complainant may be represented by the conduct officer.

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(iv) The hearing panel will then ask the respondent to describe their involvement in the matter at hand as it pertains to the charges being considered in the hearing.

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(v) The conduct officer will then present any relevant witnesses or documentary information.

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The respondent, and complainant, will each in turn have the opportunity to ask questions regarding the information presented by the conduct officer to this point.

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(vi) The respondent will then present any relevant witnesses or documentary information to the hearing panel. The hearing panel and the conduct officer will each in turn have the opportunity to ask questions regarding the information presented by the respondent to this point.

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(vii) The conduct officer will have an opportunity to make a summary statement including any sanctioning recommendations.

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(viii) The complainant will have an opportunity to make a summary statement including any sanctioning recommendations.

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(ix) The respondent will have an opportunity to make a summary statement including any sanctioning recommendations.

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(d) Deliberation and finding.

(i) The hearing panel will go into closed session to determine by the preponderance of evidence whether the respondent will be found responsible for the charge(s) pending in this matter. Student conduct hearing panels determine findings by majority vote.

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(ii) respondent is found responsible violation of one or more of the pending charges, the hearing panel will proceed to sanctioning. At this time, the hearing panel will be presented with any relevant information pertaining if the for a

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to the respondent's prior student conduct cases and sanctions.

(iii) The hearing will reconvene for the announcement of the findings and any subsequent sanction(s). In student conduct board hearings, the sanction(s) are recommended to the associate vice president for student experience or designee, who will make the final decision. While normally the recommendation will be the sanction imposed, the associate vice president for student experience or designee may impose a different sanction.

(iv) Written notification of the decision will be sent to the respondent and complainant via their official university email addresses.

(5) Student rights and responsibilities. The following rights and responsibilities apply to those involved in a matter being addressed by the student conduct process.

- (a) Rights of respondent. All respondents in the student conduct process have the following rights:
 - (i) Written notice of the charge(s) made against them and the basis of the allegation that led to the charge(s).
 - (ii) In matters that could result in a sanction of suspension or expulsion, the above mentioned notification will alert the respondent to the possible severity of the outcome.

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Deleted: (i) The staff member from the office of student conduct will give an overview of the respondent's

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Deleted: (ii) If the respondent was presented with a possible sanction during their student conduct conference, the staff member from the office of student conduct will share that proposed sanction with the student conduct board.

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 (iii) The student conduct board will consider the following in determining a sanction: ¶

¶ (a) Statements and evidence presented at the hearing;¶

¶ (b) Seriousness of the violation;¶

¶ (c) Prior disciplinary record of the respondent; and¶

¶ (d) Disciplinary precedent.¶

¶ (iv) The student conduct board will go into closed session to determine a sanction.¶

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- (iii) The right to an advisor. It is the respondent's responsibility to communicate all necessary information regarding the student conduct process and proceedings with the advisor, unless the respondent signs an authorization for the release of information, thus allowing the office of student conduct to communicate directly with the advisor.
- (iv) To request reasonable accommodations due to disability. (See "Reasonable accommodation for students with disabilities, paragraph (E)(6) of this policy).
- (v) To make a request for a change of date for a student conduct proceeding, so long as the request is made no less than 48 hours in advance of the initially scheduled proceeding. Rescheduled proceedings will generally occur within three university working days of the initially scheduled proceeding.
- (vi) Reasonable access to inspect and review their own case file, which includes all information that would be used during the student conduct process, to the extent permitted by confidentiality laws.
- (vii) Explanation of the resolution options available to them through the student conduct process.
- (viii) To be presumed not responsible for an alleged violation until found in violation by a preponderance of the evidence.
- (ix) To speak or not speak on their own behalf.
- (x) The opportunity to respond to information used as part of the decision-making process.
- (xi) To deny responsibility for the charge(s) facing them and request that the case be referred to a student conduct board hearing.

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(xi) To question any witness who participates as part of a hearing.

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(xii) The right to appeal.

(xiv) To waive any of the above stated rights provided that the waiver is made freely and in writing.

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(b) Rights of the complainant. All complainants in the conduct process have the following rights:

(i) To pursue criminal or civil charges where a legal case exists (without university assistance).

(ii) Explanation of the resolution options available to them through the conduct process.

(iii) To be free from harassment and intimidation from respondents and others as they engage in this process.

(iv) The right to an advisor. It is the complainant's responsibility to communicate all necessary information regarding the student conduct process and proceedings with the advisor, unless the complainant signs an authorization for the release of information, thus allowing the office of student conduct to communicate directly with the advisor.

(v) To request reasonable accommodations due to disability. (See "Reasonable accommodation for students with disabilities," paragraph (E)(6) of this policy).

(vi) To make a request for a change of date for a student conduct proceeding, so long as the request is made no less than 48 hours in advance of the initially scheduled proceeding. Rescheduled proceedings will generally occur within three university working days of the initially scheduled proceeding.

- (vii) To provide information for consideration during the conduct process, and to know the results of the process to the extent allowed under federal laws and university policies.
 - (viii) The opportunity to appear at any hearing that may take place in order to provide relevant information.
 - (ix) The opportunity to submit a written impact statement for use in a hearing, even if the complainant chooses not to attend the hearing.
- (c) Responsibilities of respondents, complainants, and witnesses. All respondents, complainants, and witnesses in the conduct process have the following responsibilities:
- (i) To be honest and forthright in all information they provide during the student conduct process. Presenting false and misleading information during this process is a violation of student conduct standards as outlined in this policy.
 - (ii) To attend all scheduled meetings, conferences, or hearings, unless alternate arrangements are made in advance.
 - (iii) To refrain from disruption of the hearing process. Disruption of this process is a violation of this policy. (See “Student conduct standards/ prohibited conduct,” section (D) of this policy.)
 - (iv) Respondents have the responsibility to prepare and present their entire case as well as secure the presence of any witnesses who will speak on their behalf.
- (6) Reasonable accommodation for students with disabilities. Any student with a disability involved in the student conduct process has the right to request reasonable accommodation in order to ensure their full and equal participation. Students wishing to request reasonable accommodations should make those requests

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directly to the center for student progress (“CSP”) disability services. Students do not have to disclose information about the complaint or charge to CSP disability services to request reasonable accommodation, except to the extent that it may assist in the determination of reasonable accommodations. Accommodations are determined on an individual basis by CSP disabilities services staff and implemented in consultation with the office of student conduct. Examples of reasonable accommodation include sign language interpretation, real-time communication access during hearings, large print documents, extended time to review documents, or assistance with transcribing questions during interviews or hearings.

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(7) Sanctions. If the student or student group/organization is found in violation of any policy, sanctions will be issued. A conduct sanction imposed or other action taken by any student conduct body shall become effective upon written notification to the respondent. The notification will be sent to the respondent’s official university email account. In cases involving a student group/organization, notification will be sent to the official university email account for the president or student group/organization leader. The decision of a student conduct body may be appealed in writing pursuant to paragraph (E) (9) of this policy. If the respondent files a request for, and if the appeal is denied, the sanction shall take effect upon exhaustion of the appeals process and shall be retroactive to the effective date stated in the original notification to the respondent.

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(a) The following sanctions may be imposed upon any student who has been found responsible for a violation of “The Student Code of Conduct”. Sanctions are typically issued in a progressive fashion, however each situation differs, and many factors, including the severity of a violation and the impact of the violation on the campus community will be taken into consideration in determining sanctioning.

(i) Warning. A written notification statement that the student is violating or has violated “The Student Code of Conduct.” Continuation or repetition of inappropriate conduct may be cause for increased sanctioning.

(ii) Conduct probation. Notice in writing that the violation of "The Student Code of Conduct" is serious, and that any subsequent violation(s) of university regulations may result in imposition of or conditions, suspension or additional restrictions or expulsion.

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(iii) Conduct probation with restrictions. Notice in writing that the violation of university regulations is a serious and that any subsequent violation(s) of "The Student Code of Conduct" may result in suspension or expulsion. In addition, an order preventing the student from holding university elective office, student employment, participating in any intercollegiate activity or sport, participating in any university sponsored program/organization, or representing the university in any other manner will be attached to this sanction.

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(iv) Restitution. Compensation for loss, damage, or injury. This may take the form of appropriate service or monetary or material replacement.

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(v) Educational sanctions. Other sanctions may be imposed instead of, or in addition to, those specified above. These may include community service, counseling, educational assignments, or other similar sanctions designed to assist the respondent in reflecting upon their behavior and the impact of their behavior on self or others.

(vi) Deferred suspension. Separation of the student from the university and/or residence halls is deferred for a specified period of time. If the student is found in violation of any subsequent violations of "The Student Code of Conduct," the suspension takes

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effect immediately and may not be appealed.

- (vii) Residence hall suspension. Separation of the student from the residence halls for a specified period of time, after which time the student is eligible to return. During the suspension period, the student is prohibited from accessing any university housing facilities. This may include residential dining facilities.
- (viii) University suspension. Separation of the student from the university for a specified period of time, after which time the student is eligible to return. During the suspension period, the student does not have access to the university and is prohibited from participating in any academic or other university activities. This may include residential dining facilities.
- (ix) Residence hall expulsion. Permanent separation of the student from the residence halls. An expulsion denies the student access to all university housing facilities on a permanent basis. This may include residential dining facilities.
- (x) University expulsion. Permanent separation of the student from the university. An expulsion denies the student access to the university, including any campus facilities, any campus programs or activities, and any class sessions on a permanent basis.
- (xi) Revocation of admission and/or degree. Revocation of admission to or awarding of a degree from the university for fraud, misrepresentation, or other violation of university standards in obtaining the degree, or for serious violations committed by a student prior to graduation.

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- (xii) Withholding degree. Withholding the awarding of a degree otherwise earned until the completion of the process set forth in “The Student Code of Conduct,” including the completion of all sanctions imposed, if any.
- (xiii) Fines. Fines for violations of “The Student Code of Conduct” will be assessed and charged to the student’s account. A list of fines for all violations will be determined at the discretion of the associate vice president for student experience, who will submit a list of the fines structure to the university board of trustees for approval on an annual basis. The fines structure must be included as a part of “The Student Code of Conduct” when published and presented to students.

(b) More than one of the sanctions listed above may be imposed for any single violation.

(c) The following sanctions may be imposed upon student groups organizations:

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- (i) Those sanctions as outlined in paragraph (E)(7) of this policy.
- (ii) Deactivation. Loss of all privileges, including university recognition, for a specified period of time.

(d) In each case in which a student conduct body determines that a student or student group/organization has violated “The Student Code of Conduct”, the sanction(s) shall be determined and imposed by the same student conduct body. The student conduct administrator shall be responsible for ensuring that sanctions imposed by hearing panels and conduct officers are consistent with the violation and sanctions imposed for similar violations in other similar cases.

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(8) Interim measures. In certain circumstances, the associate vice president for student experience may impose an interim measure prior to a student conduct board hearing or conduct conference this includes, _____ university or residence hall suspension,

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(a) Interim measures may be imposed only:

- (i) To ensure the safety and well-being of members of the university community or to preserve university property;
- (ii) To ensure the respondent's own physical or emotional safety and well-being;
- (iii) If the respondent poses a threat of disruption or interference with the normal operations of the university; or
- (iv) If the respondent is charged with the commission of a criminal offense as defined in _____ section 2901.01 of the Revised Code.

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(b) In the event that an interim measure is imposed, the student or student group/organization will be notified either in person or by regular U.S. or certified mail of the cause for the interim measure. The respondent will also be notified via their official university email address. The interim measure becomes effective immediately upon notification. A hearing panel will convene as expeditiously as possible to review the case. The hearing will follow the procedures outlined in paragraph (E)(4) of this policy and may proceed before, during, or after any criminal proceedings.

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(c) In the case of an interim suspension, the student or student group/ organization shall be denied access to all housing facilities and/or to the campus (including classes) and/or all other university activities or privileges for which the student or student group/organization might otherwise be eligible, unless determined otherwise by the student conduct administrator.

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(9) Appeals.

(a) The decision or sanction imposed by a student conduct body may be appealed by the respondent or complainant (“the appellant”) within five university working days of notification of the decision. If an appeal is not received within this time frame, the decision reached by the student conduct body will be final.

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(b) Requests for appeals shall be made in writing and shall be emailed or delivered to the office of student conduct. The request for appeal should indicate the grounds on which the decision is being appealed, referencing at least one of the grounds for the appeal (see paragraph (E)(9)(d) of this policy) along with supporting information.

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(c) Once a request for appeal has been submitted and, until the appeal decision has been communicated to the appellant, all sanctions except any issued as interim measures, such as interim suspensions, will be held in abeyance. The burden of proof rests with the appellant.

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(d) Appellate hearings are not a re-hearing of the student conduct case. Except as required to explain the basis of new evidence, an appellate hearing shall be limited to review of the record of the initial hearing and supporting documents for one or more of the following grounds:

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(i) A claim that the original hearing was conducted in violation of procedural requirements set forth in “The Student Code of Conduct” and to determine whether these violations could have affected the outcome of the hearing.

(ii) A claim that the decision reached regarding the respondent did not have a reasonable basis for the conclusion reached and that it was not based on proof by a preponderance of the evidence.

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(iii) A claim that the sanction(s) imposed was/were disproportionate and without basis to the violation of "The Student Code of Conduct" for which the respondent was found responsible.

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(iv) A claim that there is new information, sufficient to alter a decision or other relevant facts not presented in the original hearing because such information and/or facts were not known by the appellant at the time of the original hearing.

(e) The appellant may, in preparing the request for appeal, have access to records of the case, which must be reviewed in the office of student conduct.

(f) A request for appeal in a case adjudicated by a conduct officer will be reviewed by the student conduct administrator. A request for appeal in a case adjudicated by a student conduct board hearing panel will be reviewed by an appellate hearing panel. An appellate hearing panel is composed of three members from the student conduct board selected by the student conduct administrator.

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(g) Once a request for appeal has been submitted by the complainant or respondent, the other party shall receive a copy of the request for appeal and may submit a written response to the request for appeal, which will be considered alongside the request for appeal. Any written response must be submitted within five university working days of notification of the submission of a request for appeal.

(h) The appellate hearing panel or the student conduct administrator will review the appeal to determine whether one of the grounds listed in this policy has been met.

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(j) If an appellate hearing panel or student conduct administrator determines that a request for appeal has met the grounds, the following options are available:

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(i) The case may be remanded for reconsideration.

(ii) The appellate student conduct body may reverse the finding of responsibility in whole or in part.

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(iii) The appellate student conduct body may uphold, reduce, or increase the sanctions.

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(iv) If the appellate hearing panel or student conduct administrator determines that the request for appeal does not meet one of the grounds, the appeal will be denied.

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(j) The decision of the appellate hearing panel or student conduct administrator after an appellate review is final.

Deleted: (v) The appeals body may deny the appeal.

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(10) Conduct procedures for university housing. Deputy conduct officers have been designated by the student conduct administrator to assist in the review of alleged violations of policy originating within university housing.

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(a) The responsibility for the enforcement of rules and regulations governing student conduct in the residence halls, as outlined in the "Resident Handbook," is delegated by the student conduct administrator to a conduct officer.

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(b) Any student, faculty member, or university official may file a written report against any student living in a residence hall for alleged violations of policy within the residence hall, campus dining facilities, or at any residence hall function.

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(c) Upon receipt of a written report, the conduct officer will conduct an investigation to determine whether there is reasonable cause to believe that a violation of "The Student Code of Conduct" may have occurred. If the conduct officer believes that such a violation did occur they will follow the procedures outlined in section (E)(4) of this policy to address the alleged violation.

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(11) Student conduct record. The student conduct administrator shall maintain all student conduct records of information received and action taken by the respective student conduct bodies.

(a) Conduct sanctions shall not be made part of the student's academic record but shall become part of the student's conduct record. Student conduct records shall be expunged seven years after final disposition of the case, excluding students who were sanctioned with residence hall expulsion, university suspension, university expulsion, or revocation or withholding of a degree which shall be expunged fifteen years after final disposition of the case resulting in such action. Upon graduation, the student may petition the student conduct officer for removal of all files contained in their student conduct records. The student may appeal a negative response of the student conduct officer the student conduct administrator.

(b) Records regarding university expulsion or university suspension of a student group/organization shall be kept indefinitely.

(c) All material gathered from a substantiated conduct case (residence hall, academic, and other) shall become part of any new case against the same respondent(s) after the new charges have been substantiated.

(d) Student conduct records are maintained only in the names of respondents found responsible for violations of university policy, local, state or federal law.

(12) Special procedures. To ensure continued participation of students, faculty, and administration in the student conduct process and to ensure speedy disposition of conduct cases, the president of the university is empowered to develop a subcommittee structure in the event of a large number of student conduct cases. Such subcommittee shall be empowered to hear and adjudicate cases in accordance with the provisions of "The Student Code of Conduct" and shall ensure that all elements of procedural due process delineated in this article are observed.

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(F) Article V. Academic integrity violation procedures.

General

(a) Academic honesty is essential to the educational process and serves to protect the integrity of the university community. Therefore, all members of the university community have a responsibility for maintaining high standards of honesty and ethical practice. Cheating, plagiarism, and other forms of academic dishonesty constitute a serious violation of university policy, as outlined in ARTICLE III of this document. Students should consult with the faculty member if they are not sure what may constitute a violation of the academic integrity policy.

(b) Students suspected of violations of the academic integrity policy may be charged with a violation of university policy under the student conduct standards as outlined in ARTICLE III. 1. of this document. Cases of alleged violations of the academic integrity policy shall be resolved as outlined below.

(c) The process outlined below is the only approved process by which faculty members can address alleged violations of the academic integrity policy. Failure to follow this process or use of any process other than this will result in nullification of any charges against the student and nullification of any sanctions levied against the student. If, following nullification of the charges and sanctions, the faculty member refuses to rectify the impacted grades or assignments, the student has the right to file a grievance against the faculty member. Any internal college, departmental, or program processes used to address alleged violations of policy or concerns about student conduct are secondary to the processes outlined herein.

(2) Academic integrity conference.

(a) After the faculty member has gathered evidence of a possible violation, they shall notify the student within forty-eight hours in writing, via university email, of the allegations and invite the student to participate in an academic integrity conference. The faculty member and student may hold the conference without written

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notification. This academic integrity conference shall occur within five university working days of the written notification to the student.

- (b) The academic integrity conference is the first step in this process, and serves to provide the student with the opportunity to discuss the allegations made by the faculty member. During this meeting, the student should have the opportunity to address the allegations, and to review all relevant information and documentation to the allegations.

In situations where the course is taught primarily online and/or where the student is unable to physically present for the academic integrity conference, the meeting may be conducted via email, phone, or Skype, as appropriate. The faculty member may consult with the judicial chair of the academic grievance subcommittee or the office of student conduct for direction in such situations.

- (c) If, after meeting with the student, the faculty member determines that no violation of the academic integrity policy occurred and/or the student is not responsible for a violation of the academic integrity policy, the faculty member can dismiss the charges by not filling out the academic integrity form.
- (d) If the faculty member concludes that the student is responsible for a violation of the academic integrity policy, the faculty member shall select an appropriate sanction, as outlined in ARTICLE V. 3. of this document, and will complete the Academic Integrity Form. While the student may sign the form immediately, they have up to five university working days to do so. The student has the option to accept the charge but contest the sanction, or they can agree to both the charge and sanction.
- (e) If the student signs the academic integrity form, acknowledging responsibility for the alleged violation and accepting the sanction, the decision is final and there is no appeal process.

(i) The student will return the form to the faculty member. The faculty member will sign the form, and will submit copies of any documentation or statements with the academic integrity form.

(ii) The faculty member will forward the form to the departmental chairperson for their signature. The departmental chairperson has the option to submit a written statement to be included with the academic integrity form.

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(iii) The chairperson will then forward the form and all documents to the dean for their signature, acknowledging the case has been brought to their attention. The dean has the option to submit a written statement to be included with the academic integrity form.

(iv) The dean will then forward the form and all documents to the office of student conduct to be placed in the student's file.

(v) The dean of graduate studies will be notified and provided a copy of the form and all documents for cases involving graduate students.

(vi) No further action is required unless the recommended sanction includes program removal, suspension, or expulsion. In cases where one of these sanctions is recommended, the case will be forwarded to the judicial chair of the academic grievance subcommittee for review.

(2) Failure to appear, respond or sign.

(a) If the student fails to respond to the faculty member's request for an academic integrity conference, or fails to attend an academic integrity conference within five

university working days of notice by the faculty member, the following will occur:

- (i) The faculty member will complete and sign the academic integrity form without the student's signature. They will then submit the form along with copies of any documentation or statements to the chairperson for their signature, acknowledging the case has been brought to their attention. The chairperson has the option to submit a written statement to be included with the form.
 - (ii) The chairperson will then forward the form and all documents to the dean for their signature, acknowledging the case has been brought to their attention. The dean has the option to submit a written statement to be included with the form.
 - (iii) The dean will then forward the form and all documents to the office of student conduct to be placed in the student's file. The office of student conduct will then forward the academic integrity form and all documents to the judicial chair of the academic grievance subcommittee for further action.
 - (iv) The dean of the college of graduate studies will be notified and provided a copy of the form and all documents for cases involving graduate students.
- (b) If the student declines to accept responsibility for the charges, and/or declines to accept the sanctions selected by the faculty member, the faculty member should complete the form as outlined above.

(3) Academic grievance subcommittee referrals

- (a) If the student declines to accept responsibility for the charges, and/or declines to accept the sanctions selected by the faculty member, the case will be referred to the office of student conduct and forwarded to the judicial chair to

initiate a hearing before the academic grievance subcommittee.

(b) Regardless of whether the academic integrity form is signed, in cases where program removal, suspension, or expulsion is recommended by the faculty member, the case will be referred to the office of student conduct and forwarded to the judicial chair to initiate a hearing before the academic grievance subcommittee. A representative from the office of student conduct must be present at all such hearings to serve in an advisory capacity.

(4) Academic grievance subcommittee structure:

- (a) Judicial chair. Associate provost for academic administration or designee appointed by the provost.
- (b) Faculty members are appointed by the academic senate and serve a two-year term. One faculty member shall be selected from each of the six colleges. At least three of these appointees will have graduate faculty status.

In cases involving graduate matters, only graduate faculty will be appointed. Six (6) faculty members with graduate faculty status will be appointed by graduate council to hear cases involving graduate students.

(c) Undergraduate student members are appointed by the associate vice president for student experiences and serve a two-year term. In addition, six (6) graduate student (preferably one from each college) will be appointed by the graduate council to hear cases involving graduate students.

Deleted: (ii) An academic integrity conference to discuss the allegations shall occur within seven working days of the written notification. If the student fails to attend a conference within seven working days, the following will occur: ¶

(a) The faculty member will complete the academic integrity form and will forward this form (without the student's signature) to the departmental chairperson for signature. If the faculty member fails to submit the academic integrity form, the claim of academic dishonesty will be dismissed. ¶

(b) The chairperson will then forward the form to the dean for their signature. ¶

Deleted: (c) The dean will then forward the form to the student conduct office to be placed in the student's file.

The dean and chairperson have the option to submit written statements to be included with the academic integrity form. The dean of the college of graduate studies will be notified and provided a copy of the form for cases involving graduate students. ¶

(d) The conduct office will forward the unsigned academic integrity form along with supporting documents to the judicial chair of the student acad[... [1]

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Deleted: integrity hearing panel structure. The academic integrity panel shall consist of

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(i) Students must complete an application available through the office of student conduct.

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(ii) One undergraduate student member, is selected from each of the six colleges.

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(iii) Students must have a minimum GPA of 2.5 for undergraduate students and a 3.0 for graduate students.

(iv) Students must not have a previous student conduct record.

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(v) Students should be sophomore status or above.

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(5) Academic grievance subcommittee hearing procedures.

(a) In cases where the student failed to respond to a request from the faculty member for an academic integrity conference, cases where the student failed to return the signed academic integrity form to the faculty member within the given timeframe, cases wherein the student disputes the charges or sanctions, or in cases when the faculty member recommends program removal, suspension, or expulsion, a hearing by the academic grievance subcommittee is initiated.

(b) Within five university working days of receiving the academic integrity form and any supporting documentation of evidence from the faculty member, the judicial chair shall contact the student involved and request a statement and any documentation or evidence they would like to have considered in the hearing. The student will have five university working days to submit these items to the judicial chair.

- (c) Within two university working days of receiving the statement and evidence, the judicial chair shall distribute copies of the academic integrity form and any documentation or evidence produced by the student and faculty member to the academic grievance subcommittee members, the student, faculty member, department chairperson, and appropriate dean. The academic integrity form, course syllabus (submitted by the faculty member, student, or both), and any documentation or evidence produced by the student, faculty member, chairperson, or dean compose the academic integrity packet.
- (d) A hearing date, time, and location for the academic grievance subcommittee hearing will be established by the judicial chair. Academic grievance subcommittee members shall have a minimum of three university working days to review all written materials in the academic integrity packet. The hearing notice shall be sent to the parties directly involved in the grievance procedure, excluding advisors and witnesses. Parties directly involved include:
- (i) Faculty/student. The party who files the academic integrity form and the party who is alleged to have violated the academic integrity policy. If either party cannot or refuses to attend the hearing, they may provide written statements to be submitted for evidence. Faculty members are permitted to have a substitute who will exercise all the rights and responsibilities of the absent faculty member.
- (ii) Department chairperson. The chairperson of the department in which the faculty member resides. The chairperson's attendance is optional. If the chairperson is in attendance they will be brought in to speak with the hearing panel after the presentation of information by the faculty member and student and without the faculty member or student present. The chairperson's role in the hearing is to provide information on any knowledge they have of the case as well as to provide insight into and clarify any questions regarding the

particular culture of the department or expectations of students in the department.

- (iii) Dean. The dean of the college in which the faculty member's department is housed. The dean's attendance is optional. In addition, the dean of graduate studies has the option to attend in cases that involve graduate students and graduate faculty members. If the dean is in attendance, they will be brought in to speak with the hearing panel after the presentation of information by the faculty member and student and without the faculty member or student present. The dean's role in the hearing is to provide information on any knowledge they have of the case as well as to provide insight into and clarify any questions regarding the particular culture of the department or expectations of students in the department.
- (iv) Academic grievance subcommittee hearing panel members. Derived from the membership of the student academic grievance subcommittee of the academic senate. At minimum, each hearing panel consists of three faculty members, three undergraduate students, and the judicial chair. In hearings involving allegations against a graduate student, graduate college representatives will form the hearing panel. The hearing panel conducts the formal hearing and renders a decision. No member of a hearing panel will hear a case directly involving themselves.
- (v) Advisors: The student and the faculty member may each avail themselves of the services of an advisor throughout the **academic integrity** process. An advisor may be drawn from within or outside the University community. Advisors may not present testimony or speak on behalf of the party whom they are advising. They are permitted, however, to give notes or whisper instructions/advice to the party whom they are

advising. Examples of advisors include a parent, attorney, clergy, other faculty member, or coach. The advisor may not be the chairperson or dean for the college in which the faculty member or student is housed. In situations where a graduate assistant is considered the instructor of record and is the party who submitted the academic integrity form, the chairperson may serve as an advisor to the graduate assistant and is permitted to stay throughout the hearing.

In cases in which the student is a dully enrolled high school and university student (through the Youngstown early college or the college credit plus program) the student may have both a parent and a secondary advisor present for the hearing.

(vi) Witness(es): Witnesses who have something to add to the hearing either in support of the faculty member or student are permitted. While the number of witnesses is not limited, the number of witnesses that present repetitive testimony may be limited at the discretion of the judicial chair.

(f) If the student or faculty member is unable to be physically present for the hearing, then both the faculty member and student will be made available for the hearing through the same electronic means in order to provide equal treatment to all parties. This may include either teleconference or Skype, as deemed appropriate by the judicial chair.

(6) Rights of hearing parties.

(a) The following rights are guaranteed to the student and the faculty member:

(i) The right to be present.

(ii) The right to be accompanied by an advisor of their choice.

(iii) The right to speak in support of their argument.

- (iv) The right to bring witnesses in support of their case.
- (v) The right to present any relevant information directly supporting their written items in the academic integrity packet, including oral testimony.
- (vi) The right to refute information presented.
- (vii) The right to consult with the judicial chair or the office of student conduct regarding the hearing, their testimony or the presentation of any testimony in support of their case.

(b) The judicial chair has the right to:

- (i) Limit the amount of time testimony is presented by any given individual;
- (ii) Remove disruptive individuals from the room;
- (iii) Ensure that only the members of the hearing panel, student, and faculty member are present in the room;
- (iv) Ensure that all witnesses remain outside the hearing room and are brought in and dismissed after their testimony is presented.
- (v) Extend the timeline for the hearing process.

(7) Deliberation and findings.

- (a) The hearing panel shall meet in closed session to review the information presented and reach a decision. The hearing panel shall vote using secret ballots tallied by the judicial chair. The judicial chair will only vote in circumstances of a tie among the hearing panel members.
- (b) If the hearing panel determines that the student is responsible for a violation of the academic integrity policy.

the hearing panel may consider previously resolved cases (on file with the office of student conduct) involving the student when assigning an appropriate sanction. The judicial chair will present such information to the hearing panel only after a determination of responsibility on the case in question has been reached.

The standard of proof utilized in all university student conduct proceedings shall be a preponderance of evidence. Preponderance of the evidence is known as the balance of probabilities, met if the proposition is more likely to be true than not true. Effectively, the standard is satisfied if there is greater than 50 percent chance that the proposition is true

- (c) Both parties shall be informed of the hearing panel's decision in writing within three university working days. This statement shall be prepared and signed by the judicial chair and forwarded to the office of student conduct, graduate school dean when appropriate, provost and all parties directly involved in the hearing, except advisors and witnesses.
 - (ii) Notice of the hearing panel's decision ends the academic grievance subcommittee's involvement in the disposition of the case.
 - (iii) A file of all pertinent documents for all academic integrity hearings shall be kept by the office of the provost and the office of student conduct.
 - (iv) Any change of grade as a result of the hearing panel's decision should be made by the faculty member and signed by the respective chairperson and/or dean within five university working days. If the faculty member, chairperson and/or dean refuse to sign the grade change form, then the provost will do so.

(8) Appeals.

- (a) Only students may appeal the decision of the academic grievance subcommittee regarding for cases involving

alleged violations of the academic integrity policy. The appeal can only be based on procedural violations and must be submitted within five university working days from the date on which the student was notified of the hearing panel's decision. The request for an appeal is submitted in writing to the judicial chair.

(b) The judicial chair will forward the written appeal to the academic senate executive committee within two university working days.

(i) If the academic senate executive committee determines that no procedural violations occurred, or that any procedural violations were minor and did not affect the original hearing panel's decision, the original hearing panel's decision is upheld and the case is closed.

(ii) If the academic senate executive committee determines that procedural violations may have occurred and were potentially substantive enough to have affected the hearing panel's decision, the case will be referred to a three-person appellate hearing panel consisting of one student and two faculty members. This appellate hearing will take place within twelve university working days of receipt of the written appeal.

(c) Appellate hearing panel.

(i) No member of the appellate hearing panel will hear a case directly affecting themselves.

(ii) Prior to the appellate hearing, members of the appellate hearing panel shall review all relevant documents.

(iii) The chair of the appellate hearing panel shall inform both parties of the decision as soon as reasonably possible. A written statement of the decision shall be prepared and signed by the chair of the appellate

hearing panel, forwarded to the student, faculty member, office of student conduct, and office of the provost within five university working days of the decision via university email.

(iv) A file of all pertinent documents for all appeals shall be kept by the office of student conduct and/or the office of the provost.

(v) The decision reached by the appellate hearing panel is final and may not be appealed.

(d) At the discretion of the chair of the appellate hearing panel, the timeline under the appeal process may be extended.

(e) If the appeal results in a grade change, the grade change form should be completed by the faculty member and signed by the respective chairperson and/or dean within three university working days. If the faculty member, chairperson, and/or dean refuse to sign the grade change form, then the provost will do so.

(9) Sanctions. A list of possible sanctions and guide to selecting sanctions is available in the appendices. Sanctions for violations of the academic integrity policy may include, but are limited to, the following:

(a) Issue an official warning.

(b) Lowering the grade on the exam, paper, or assignment in question.

(c) Lowering the final grade for the course.

(d) Requesting additional action from the academic grievance subcommittee, including removal from a course, removal from an academic program, university suspension, or expulsion.

(e) Other sanctions as deemed appropriate by the faculty member. The faculty member may consult with the judicial

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chair, office of student conduct, chairperson or dean regarding appropriate sanctions.

(10) Role of the student conduct administrator (“SCA”). The student conduct administrator or designee has the following responsibilities with regards to all cases involving alleged violations of the academic integrity policy

- (a) To create/maintain a student conduct file containing the completed academic integrity form and supporting documents.
- (b) To expunge all records as outlined in this policy.
- (c) In cases where the academic integrity form is completed by all parties, they will acknowledge receipt of this form by emailing the student, faculty member, chairperson, and dean with a letter that details the resolution of the case.
- (d) In cases where the student has already been found responsible for a previous academic integrity violation, any additional violation will result in a review of all cases by the office of student conduct for possible additional charges and sanctioning .

(G) Article VI. Section 3345.22 of the Revised Code, the “1219” hearing process.

(1) Background. Disruptive behavior and the “1219” procedure.

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Deleted: (5) Academic integrity hearing procedures.¶

Deleted: (a) In cases where the academic integrity form was not signed and/or was not returned to the faculty member, or the faculty member recommended university suspension or expulsion, a hearing of the academic grievance subcommittee is initiated.¶

¶ (b) Within five university working days of receiving the academic integrity form and any supporting evidence from the fac... [3]

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The Ohio Campus Disruption Act, also known as Ohio House Bill 1219, is codified in sections 3345.22 and 3345.23 of the Revised Code. The purpose of the law is to protect university students, faculty, staff, and other members of the campus community from crimes of violence committed in the vicinity of the university or upon people or property at the university.

A “1219” hearing is appropriate when a student is arrested for a crime of violence committed on or near the university. If a student is convicted of an offense of violence that occurred on or near the university, the student will be automatically suspended pursuant to section 345.23 of the Revised Code. The purpose of the “1219” hearing is to remove students from campus who may be a threat to the safety and security of the student body or campus community.

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- (2) Definition of a “crime of violence.” There are over 30 crimes of violence considered violations of the “1219” law, including but not limited to the following: arson, assault, burglary, domestic violence, discharged firearm, felonious assault, gross sexual imposition, inciting to violence, inducing panic, intimidation, kidnapping, menacing, murder, rape, riot, robbery, sexual battery, and voluntary manslaughter.

- (3) Jurisdiction of the “1219” hearing.

- (a) If a student is arrested for a crime of violence referenced in division (D) of section 3345.23 of the Revised Code, they may be temporarily suspended from the university, according to “The Student Code of Conduct,” which is referred to as an interim suspension. This suspension will last during the process of the “1219” hearing and continue until the student meets with the office of student conduct. The results of the “1219” hearing discussed below does not alter the student’s status under an interim suspension.

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- (b) A “1219” hearing, which is distinctly separate from a conduct conference or a student conduct board hearing, will be held shortly after a student’s arrest for a crime of violence. The hearing can be continued for good cause. The purpose of the “1219” hearing is to determine

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by a preponderance of the evidence whether the student committed an offense of violence.

- (c) If the referee, as appointed by the university (office of the general counsel), finds that the student did commit an offense of violence on or near the university, the referee will then determine if the student should be under strict probation or suspended from the university pending the outcome of the criminal case. However, as noted above if the student is under an interim suspension, the student will remain suspended, even if they only receive strict probation from the referee, until the conclusion of the student conduct process administered by the office of student conduct.
- (d) Following the "1219" hearing, the criminal case outcome will determine the student's status under section 345.23 of the Revised Code. If the student is convicted of an offense of violence in the criminal case, the student will be suspended from the university for at least one year.
- (e) Upon acquittal, or upon any final judicial determination not resulting in conviction of an offense of violence, the "1219" suspension automatically terminates and the student in question shall be reinstated and the record of the "1219" suspension expunged from the person's university record. The criminal process and "1219" hearing are separate. The outcome of the "1219" hearing has no bearing on the criminal case.
- (f) When a student is found not guilty, they may return to school, but upon conclusion of the "1219" hearing and possibly while the criminal case is still underway, the university may, and in nearly all cases, will initiate the student conduct process. The student may also be under the restriction of an interim suspension. Unless the student is not under an interim suspension or has been found responsible of a violation of "The Student Code of Conduct," the student would be permitted to return to school.

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(g) If the student is found guilty at the criminal trial for an offense of violence on or near the university, they will be suspended from Youngstown state university for the period of one year. The student will receive a written notice of the suspension from the _____ office of student conduct. The student must receive approval from the board of trustees to be permitted to return to the university. This one-year suspension will still be imposed even if the student is found not responsible for a violation of "The Student Code of Conduct."

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(4) The "1219" hearing process. The "1219" hearing will be an adversary proceeding. Unlike a student conduct hearing, a "1219" hearing will be conducted by a referee appointed by the university. A university attorney will present the evidence at the hearing on behalf of the university. The student has the right to:

- (a) Be represented by an attorney.
- (b) To cross-examine witnesses called by the state (the university).
- (c) Call upon his/her own witnesses.
- (d) To present evidence.
- (e) To give a statement (but not required to do so). If the student does not appear at the hearing, the student will be suspended. In the absence of a waiver of the right against compulsory self-incrimination, the testimony of a student whose suspension is being considered, given at the hearing, shall not subsequently be used in any criminal proceeding against the student.

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(5) Burden of proof. Preponderance of the evidence is the standard use for all "1219" hearings. Preponderance of the evidence is known as the balance of probabilities met if the proposition is more likely to be true than not true. Effectively, the standard is satisfied if there is greater than fifty per cent chance that the proposition is true. The referee must find that the student committed the offense by a preponderance of the evidence.

(H) Article VII. Parental/guardian notification policy. Youngstown state university is committed to an educational environment that promotes the safety, responsible decision-making, and social and intellectual development of all students. Furthermore, the university is concerned with taking a proactive approach in regards to students who may be experiencing problems with alcohol or other drugs. It is the policy of Youngstown state university to notify parents of students under twenty-one years of age if such students have been found responsible for violating institutional policies regarding alcohol or other drugs, in an effort to create a positive support network for students.

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(1) Parameters.

(a) This policy will be applied in situations where students under the age of twenty-one have been found responsible for a violation of university policies regarding drugs or alcohol.

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(b) The office of student conduct shall be responsible for administering all procedures of the parental/guardian notification policy.

(2) Procedures.

(a) Parents/guardians shall be notified when the underage student is found responsible for a violation of the drug or alcohol policies.

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(b) The associate vice president for student experience, or designee, may make an exception to the parental/guardian notification policy if in their judgment it is determined that harm would come to the student as a result of parental/guardian notification.

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(c) The notification will be provided in writing from the office of student conduct and will be mailed to the student's home address.

(d) The notification letter will inform parents or guardians that their student has been found responsible for a violation of

an alcohol or drug policy. Included with the letter will be answers to frequently asked questions. Parents or guardians will be encouraged to discuss the incident with the student.

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(e) The office of student conduct will be responsible for responding to questions from parents/guardians. If a parent or guardian is interested in reviewing their student's conduct file, the student generally must sign a waiver to release this information. There are exceptions to this that will be determined on a case by case basis.

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(I) Article VIII. Interpretation and revisions. Any question of interpretation or application regarding "The Student Code of Conduct" shall be referred to the student conduct administrator for final determination.

"The Student Code of Conduct" shall be reviewed every three years under the direction of the student conduct administrator. Any member of the university community may recommend a change to "The Student Code of Conduct" to the associate vice president for student experience. The associate vice president for student experience shall distribute the recommendation to the appropriate areas and gather feedback. If the change is endorsed by the associate vice president for student experience, the change shall be presented to the board of trustees for adoption.

(J) Glossary of Terms, when used in "The Student Code of Conduct."

(1) The term "academic grievance subcommittee" is a group of university students and faculty selected and trained to adjudicate hearings wherein a student has allegedly violated the academic integrity policy for the university. Each hearing has a hearing panel consisting of at least six members from the academic grievance subcommittee

Deleted: (1) The terms "accused student" or "respondent" shall mean any student accused of violating "The Student Code of Conduct."

(2) The term "appellate hearing panel" shall mean any person or persons authorized on a case-by-case basis by the student conduct administrator to consider a request for appeal from a student conduct body's determination that a student has violated "The

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Code of Student Conduct” or from the sanctions imposed by the student conduct body.

- (3) The terms “can,” “may,” or “should” specify a discretionary provision of “The Code of Student Conduct.”
- (4) The term “complainant” shall mean any person who submits a referral alleging that a student violated “The Code of Student Conduct.”
- (5) The term “deputy conduct officer” shall mean a university official authorized on a case-by-case basis by the student conduct administrator to serve as a charging administrator to review complaints, determine responsibility, and impose sanctions upon students found to have violated “The Student Code of Conduct.”
- (6) The term “faculty member” shall mean any person employed by the university to conduct classroom or teaching activities or who is otherwise considered by the university to be a member of its faculty. In certain situations, a person may be both “student” and “faculty member.” One’s status in a particular situation shall be determined by the relevant circumstances.
- (7) The terms “file” or “records” mean information relating to a current or former student which is stored in a fashion that facilitates recovery of that information by reference to the individual in whatever form or medium such gathering of information is created, kept, or maintained.
- (8) The term “function” shall mean all student activities or events occurring at the university or sponsored by registered student organizations, groups, or members of the academic community.
- (9) The term “group” shall mean a number of students who are associated with each other and who have not complied with university requirements for registration as an organization.
- (10) The terms “hearing panel” or “hearing panel members” shall mean individuals who have been selected or assigned to adjudicate a hearing. These individuals are selected from a trained body.

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including the student conduct board and the academic grievance subcommittee.

(11) The term "hearing panel advisor" shall mean the student conduct administrator, or designee, or appointee. The hearing panel advisor has responsibility for ensuring that policies and procedures within this document are adhered to within any student conduct process. The hearing panel advisor may be involved in any part of the student conduct process, and may provide input or answers, or otherwise answer questions asked by any parties.

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(12) The term "may" is used in the permissive sense.

(13) The term "member of the university community" shall include any person who is a student, faculty member, university official, any other person employed by the university, or any person lawfully present on university premises.

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(14) The term "organization" shall mean a university-registered student organization which as complied with formal requirements of official registration.

(15) The term "policy" shall be defined as the written regulations of the university as found in, but not limited to, "The Student Code of Conduct," "Resident Handbook," "Penguin Student Handbook," the university website, undergraduate/graduate catalogs, university policies, and board of trustees policies.

(16) The term "respondent" shall mean any student accused of violating "The Student Code of Conduct."

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Deleted: The term "student conduct officer" is the associate director of student conduct who is the university official assigned to serve as the primary charging administrator by the student conduct administrator to review complaints, determine responsibility, and impose sanctions upon students found to have violated "The Student Code of Conduct."

Deleted: (10) The term "deputy conduct officer" shall mean a university official authorized on a case-by-case basis by the student conduct administrator to serve as a charging administrator to review complaints, determine responsibility, and impose sanctions upon students found to have violated "The Student Code of Conduct."

Deleted: (11) . The term "student conduct administrator" is the associate vice president for student experience, or designee, who shall be responsible for the administration of the code and the university student conduct process.

Deleted: (12) The term "student conduct body" shall mean student conduct officer, any deputy conduct officer or the student conduct hearing panel authorized by the student conduct administrator to determine whether a student has violated "The Student Code of Conduct" and to recommend imposition of sanctions.

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Deleted: (15) . The term "misconduct" means student behavior that violates codified or explicitly stated university rules and regulations, including but not limited to "The Student Code of Conduct."

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(17) The terms “shall,” “must,” “will,” or “is required” specify a mandatory requirement of the code.

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(18) The term “student” shall include all persons registered for courses, seminars, and workshops at the university, either full-time or part-time, pursuing undergraduate, graduate, professional studies, or continuing education programs. Also included are those individuals accepted for admission or living in the residence halls, whether or not actually enrolled at the university.

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~~(19) The term “student conduct administrator” is the associate vice president for student experience, or designee, who shall be responsible for the administration of the code and the university student conduct process.~~

~~(20) The term “student conduct board” is a group of university students, staff, and faculty selected and trained to adjudicate hearings wherein students have allegedly violated university policy. Each hearing has a hearing panel consisting of three members from the student conduct board.~~

~~(21) The term “student conduct body” shall mean student conduct officer, any deputy conduct officer, or any hearing panel of the student conduct board authorized by the student conduct administrator to determine whether a student has violated “The Student Code of Conduct” and to recommend imposition of sanctions.~~

~~(22) The term “student conduct officer” is the associate director of student conduct who is the university official assigned to serve as the primary charging administrator by the student conduct administrator to review complaints, determine responsibility, and impose sanctions upon students found to have violated “The Student Code of Conduct.”~~

~~(22) The term “student conduct board” is a group of campus students, staff and faculty selected and trained to adjudicate hearings wherein students are alleged to have violated university policy.~~

(23) The terms “university” or “institution” mean Youngstown state university and collectively those responsible for its operation.

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- (24) The term “university premises” shall be defined as all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the university including adjacent streets, sidewalks, and parking lots. Deleted: 21
- (25) The term “university official” shall mean any person employed by, appointed to, authorized to act on behalf of or performing administrative or professional work for the university. Deleted: 22
- (26) The term “university working day” refers to any day of the week excluding Saturdays, Sundays, or official holidays. Deleted: 23
- (27) The term “weapon” shall have the same meaning as in rule 3356-7-03 of the Administrative Code, “Possession of weapons on campus.” (See also university policy 3356-7-03, “Possession of weapons on campus.”) Deleted: 24
- (28) All other terms have their natural meaning unless the context otherwise dictates. Deleted: 25

3356-8-01.1 The Student Code of Conduct.

Responsible Division/Office:	Student Experience
Responsible Officer:	Associate VP for Student Experience
Revision History:	March 1998; December 2010; June 2016
Board Committee:	Academic Quality and Student Success
Effective Date:	September 7, 2017
Next Review:	2020

- (A) Policy statement/preamble. Youngstown state university (“YSU”) is a student-centered institution committed to the education, development, well-being, and success of students of all ages and from all walks in life. In concert with our mission to help students grow intellectually, we strive to foster their personal, social, emotional, and career growth, as well as their capacities for lifelong learning, civic responsibility and leadership.

As a campus community, we expect all conduct to be rooted in integrity, mutual respect, and civility. We value ethical behavior in scholarly and other endeavors; believe in the dignity and worth of all people; strive to foster an appreciation of, and respect for, differences among the human race; and celebrate the diversity that enriches the university and the world. As a member of a higher education community, students have an obligation to conduct themselves in a manner that is compatible with the university’s purposes as an institution of higher education. Each student is expected to be fully acquainted with all published policies, procedures, and regulations of the university and is held responsible for compliance with them. All members of the university community are expected to assume responsibility for creating an environment conducive to the educational mission and purpose of the university.

The policies and regulations in “The Student Code of Conduct” have been established to ensure a positive educational experience for every student. “The Student Code of Conduct” serves as an official university document that outlines conditions and regulations considered essential to the effective functioning of the university.

The student conduct process at Youngstown state university adheres to procedural due process and is intended to be part of the educational process at the university. This student conduct process provides a forum

for the impartial and expedient resolution of alleged misconduct in the university community and encourages students to live responsibly and be accountable for their actions. The student conduct process is based on the university's commitment to developing integrity, respect, and responsibility among all students.

(B) Article I. Rights and responsibilities.

- (1) Basic rights. The following enumeration of basic rights shall not be construed to deny or disparage other rights and privileges retained by students in their capacity as members of the student body or as citizens of the community at large:
 - (a) The right of free inquiry, expression, and/or assembly.
 - (b) The right to pursue educational goals and appropriate opportunities for learning in the classroom, on campus, and online.
 - (c) The right to be secure in their persons, living quarters, papers, and effects against unreasonable searches and seizures.
 - (d) The right to retain ownership of class projects/assignments authored by a student and submitted to fulfill requirements of a course, except as provided by section 3345.14 of the Revised Code.
- (2) Basic responsibilities. Students, as members of the university community, shall have the following responsibilities which are inherent in the basic rights delineated in this paragraph:
 - (a) To maintain standards of academic performance as established by their faculty.
 - (b) To be responsible for acting in such a manner as to ensure other students the basic rights enumerated in this policy.
 - (c) To be responsible for their actions with respect to, and to follow, all university regulations and policies.

- (d) To be responsible for their actions with respect to provisions of local, state, and federal law.
 - (e) To conduct themselves in a manner which helps to create and maintain a learning atmosphere in which the rights, dignity, and worth of every individual in the university community are respected.
 - (f) To have in their possession a valid university identification card when on university premises.
 - (g) To be responsible for adhering to the university's "Drug-free environment" policy (university policy 3356-7-20 and rule 3356-7-20 of the Administrative Code).
 - (h) To ensure adherence to all university board of trustees' policies that apply to students.
- (C) Article II. Student conduct authority. The president has delegated the authority for the university student conduct system to the associate vice president for student experience. The associate vice president for student experience, or designee, serves as the student conduct administrator responsible for the administration and operation of "The Student Code of Conduct" and the student conduct process. Members of the university seeking formal disciplinary action for alleged student misconduct should make referrals to the office of student conduct.

The student conduct administrator shall determine the composition of student conduct bodies and appellate hearing panels.

The student conduct administrator shall develop policies for the administration of the student conduct system and procedural rules for the conduct of hearings that are consistent with provisions of "The Student Code of Conduct". The student conduct officer shall be the associate director for student conduct. The student conduct administrator may also appoint one (1) or more deputy conduct officers to review reports of violations of "The Student Code of Conduct" and to conduct investigations. Deputy conduct officers shall be under the supervision of the student conduct officer and/or the student conduct administrator.

- (1) Jurisdiction of "The Student Code of Conduct."

- (a) “The Student Code of Conduct” shall apply to conduct which adversely affects the university community or interferes with the pursuit of its mission or educational objectives and programs whether it occurs on university premises, at university sponsored activities, or on non-university premises. It is important to note that a student and/or group/organization will be subject to the university student conduct process where the conduct has occurred on non-university premises when the conduct adversely affects the university community or interferes with the pursuit of its mission or educational objectives and programs.
 - (b) Students shall be responsible for their conduct from the time of application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment (and even if the conduct is not discovered until after a degree is awarded). “The Student Code of Conduct” shall apply to a student’s conduct even if the student withdraws from the university while an investigation into alleged of misconduct is pending.
 - (c) An incident which results in a charge under “The Student Code of Conduct” may also lead to a proceeding outside of the university for a violation of local, state, or federal law. In these instances, university proceedings are not subject to challenge based on concurrent criminal or civil proceedings or that such proceeding has been or will be dismissed, reduced, withdrawn, resolved or settled. The university will cooperate, to the extent permitted by law, with law enforcement and other agencies in the enforcement of all laws. In all cases, hearings within the university will be held according to the student conduct procedures set forth in in this policy. Since the university student conduct process is educational in nature, differing judgments may result.
- (2) Campus student organizations. Registered student organizations may exist for any appropriate purpose that does not conflict with

university policies and regulations or with local, state, and/or federal laws. The development of policies and guidelines for student organizations is the responsibility of the associate vice president for student experience or designee. The policies and regulations that apply to student groups/organizations are outlined in the "Penguin Student Handbook" which houses all of the student organization's policies. Student groups/organizations that violate any of the student organization policies may be charged with violating "The Student Code of Conduct" and be subject to the student conduct procedures set forth in this policy.

- (3) Student conduct authority.
 - (a) The enforcement of regulations, policies, and guidelines that apply to students, student organizations/groups are within the jurisdiction of the associate vice president for student experience, or designee.
 - (b) Any internal college, departmental, or program processes used to address alleged violations of policy or concerns about student conduct are secondary to the processes outlined herein.
 - (c) Student groups and registered student organizations may be charged with violations of "The Student Code of Conduct" in the following circumstances:
 - (i) An organization is responsible for its actions and shall be held responsible when the organization fails to comply with the university's student organization policies, and/or university policies or regulations.
 - (ii) An organization is responsible for its actions and shall be held responsible when the organization fails to comply with city, state, or federal law.
 - (iii) A student group (as defined in the glossary of terms section of this policy) or registered student organization and its officers may be held collectively or individually responsible for violations of "The Student Code of Conduct."

- (D) **Article III. Student conduct standards/prohibited conduct.** The student conduct process aspires to develop and maintain conduct standards in support of character, civility, and community. This section of “The Student Code of Conduct” provides a set of expectations regarding student conduct in support of the university community.

A student or student group/organization may be charged with violating any student conduct standard. In cases where a violation is committed by a member of a student group/organization, the entire group/organization may be held responsible in addition to the student when those members of the group/organization not directly involved participate in the activity by encouraging, witnessing, or condoning the act in any manner. The following behavior is subject to disciplinary action under “The Student Code of Conduct”:

- (1) **Academic integrity.** Violations of academic integrity include:
- (a) **Plagiarism, which includes the use by paraphrase or direct quotation of the published or unpublished work of another person without full and clear acknowledgement; the unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials; or the misrepresentation of another person’s work as one’s own.**
 - (b) **The use of any unauthorized assistance or tools:**
 - (i) **In taking quizzes, tests, assignments, or examinations;**
 - (ii) **When completing assignments, solving problems, or carrying out other assignments as detailed in the course syllabus or in other instructions by the instructor.**
 - (c) **The acquisition, without permission, of tests or other academic material belonging to a member of the university faculty or staff.**
 - (d) **Engaging in any behavior specifically prohibited by a faculty member in the course syllabus or class discussion.**

- (e) Inappropriate collaboration, including working together on assignments or projects to an extent not permitted by the instructor.
 - (f) Multiple submissions of the same work, including submitting the same or parts of the same assignment for multiple classes without permission from the instructor.
 - (g) Fabrication of data, including presenting fictitious data relating to experiments, changing of data obtained from sources, and citing non-existent sources.
 - (h) Bribes, threats, or intimidation including exchange of payment for assignments or parts of assignments, and threats to entice others to engage in violations of the academic integrity policy.
 - (i) Impersonation, pretending to be another person in the completion of a quiz, exam, or other assignment.
 - (j) Altering or destroying the work of others unless given permission.
 - (k) Lying in order to obtain an academic advantage which includes falsification of documents or other information used to request make-up work.
 - (l) Assisting another person in any of the behaviors mentioned above is itself academic dishonesty.
 - (m) Asking others to engage in any of the behavior described above is academic dishonesty;
 - (n) Attempting to engage in any of the above behaviors is academic dishonesty.
- (2) Alcohol.
- (a) Use or possession of alcoholic beverages, except as permitted by law and university policy.

- (b) Public intoxication.
 - (c) Manufacturing, or distribution of alcoholic beverages to any person under twenty-one years of age except as permitted by law.
- (3) Bullying and harassment. Unwelcome or unreasonable behavior that harasses or intimidates people either as individuals or as a group and is sufficiently severe or pervasive from both a subjective (the complainant's) and an objective (reasonable person) viewpoint. Bullying and harassing behavior is often persistent and part of a pattern, but it can also occur as a single incident. It is usually carried out by an individual but can also be an aspect of group behavior (see university policy 3356-2-03, "Discrimination/harassment," and rule 3356-2-03 of the Administrative Code, for prohibited conduct based on individual's sex, race, color, religion, national origin, age, sexual orientation, gender identity and/or expression, disability, or veteran/military status or any other basis protected by law).
- (4) Complicity. Allowing or enabling a violation to occur, failing to report a violation, or concealing, condoning, supporting, or encouraging a violation or an attempted violation.
- (5) Student conduct system.
 - (a) Failure to obey the summons of a student conduct body or university official to appear for a meeting or hearing as part of the student conduct process.
 - (b) Falsification, distortion, or misrepresentation of information before a student conduct body.
 - (c) Institution of a student conduct proceeding knowingly without cause.
 - (d) Attempting to discourage an individual's proper participation in, or use of, the student conduct system.

- (e) Attempting to influence the impartiality of a member of a student conduct body prior to and/or during the course of the student conduct process.
 - (f) Harassment (verbal or physical) and/or intimidation of a member of a student conduct body, participants, or witnesses prior to during or after a student conduct proceeding.
 - (g) Failure to comply with the sanction(s) imposed by a student conduct body.
 - (h) Influencing or attempting to influence another person to commit an abuse of the student conduct system.
 - (i) Disruption or interference with the orderly conduct of a student conduct proceeding.
- (6) Disorderly conduct. Conduct which is disorderly, lewd, or indecent; a breach of peace; obstructs teaching, research, administration, or university activities or functions.
- (7) Drugs.
- (a) Use, possession, manufacturing, or distribution of marijuana, heroin, narcotics, or other controlled substances in either refined or crude form, including the use of drug-related paraphernalia.
 - (b) The misuse of materials as an intoxicant.
 - (c) Use of prescription drugs in any way other than as prescribed. Distribution of prescription drugs to anyone other than the person to whom they are prescribed.
- (8) Failure to comply. Failure to comply with directions and/or oral or written instructions which are given by any university official, student, faculty member, or staff who is acting in an official university capacity and/or failure to identify oneself to these persons when requested to do so.

- (9) **Financial obligations.** Failure to meet all financial obligations to the university.
- (10) **Gambling.** Gambling or wagering of any form except as expressly permitted by law and/or university policy.
- (11) **Hazing.** An act which endangers the mental or physical health or safety of a student or which destroys or removes public or private property for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization.
- (12) **Information technology.** Theft or other abuse of information technology and resources, including, but not limited to:
 - (a) Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
 - (b) Unauthorized transfer of a file.
 - (c) Unauthorized use of another individual's identification and password.
 - (d) Use of computing facilities and resources to interfere with the work of another student, faculty member, or university official.
 - (e) Use of computing facilities and resources to send obscene or abusive messages.
 - (f) Use of computing facilities and resources to interfere with the normal operation of the university computing system originating from an on-campus or off-campus source.
 - (g) Use of computing facilities and resources in violation of copyright laws.
 - (h) Any violation of the university's "Acceptable use of university resources" policy (university policy 3356-4-09 and rule 3356-4-09 of the Administrative Code).

- (13) Dishonesty.
 - (a) Furnishing false information to any university official, faculty member, or office.
 - (b) Forgery, alteration, or misuse of any university document, record, credit card, or instrument of identification.
 - (c) Tampering with the election of any university recognized student organization.
 - (d) Deliberately misleading or intentionally failing to maintain correct address and telephone information with the registrar.
 - (e) Misrepresenting enrollment status and/or achievement at the university to non-university officials and/or on non-university documents.
- (14) Obstruction of traffic. Obstruction of the free flow of pedestrian or vehicular traffic on university premises or at university sponsored or supervised functions.
- (15) Endangering behavior.
 - (a) Intentionally, knowingly or recklessly causing physical harm to another person or their property or engaging in conduct which threatens or causes a reasonable apprehension of harm to the health, safety, life, or property of a person including one's self.
 - (b) Entering false fire alarms, bomb threats, or tampering with fire extinguishers, alarms, smoke detectors, or other safety equipment.
- (16) Property damage. Any action which damages or could reasonably damage property of the university, or property of a member of the university community, or other personal or public property, on or off campus, or acts of vandalism even if this behavior does not cause damage.

- (17) **Published university policies.** Violation of published university policies, rules, or regulations including those available electronically on the university website.
- (18) **Sexual misconduct.** A broad range of behaviors including sexual assault, dating violence, domestic violence, stalking, voyeurism, and any other conduct of a sexual nature that is nonconsensual, or is carried out through force, threat, intimidation or coercion. Please see university's "Sexual misconduct" policy (university policy 3356-2-03.1 and rule 3356-4-09 of the Administrative Code) for further information.
- (a) **Sexual assault.** Any intentional, non-consensual and/or coerced sexual contact. Physical resistance need not occur to meet the definition of sexual assault.
 - (b) **Consent.** Sexual activity requires consent, which is defined as positive, unambiguous, voluntary and on-going agreement to engage in a specific activity. Consent must be freely and affirmatively given. Consent cannot be obtained from someone through coercion or from someone who is unconscious, asleep, or whose judgment is impaired by the use of a drug or alcohol, or diminished by an intellectual, mental or physical condition or disability. Consent may be withdrawn at any time.
 - (c) **Coercion.** Intimidation, physical or psychological threat, or pressure used to force another to engage in sexual acts.
 - (d) **Stalking.** Repeated behaviors or activities whether in person, online, or through any other means which threaten or endanger the safety, physical or mental health, life or property of another or creates a reasonable fear of such threat or action.
 - (e) **Dating violence:** Violence or abusive behavior (sexual, physical, or threat of violence) committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship is determined based on a consideration of the length and type of relationship, and the frequency of

interaction between the persons involved in the relationship.

- (f) **Domestic violence:** Violence or abusive behavior (sexual, physical or threat of violence) used to maintain control or power within a current or former relationship and which is committed by any of the following:
 - (i) A current or former spouse or intimate partner of the victim;
 - (ii) A person with whom the victim shares a child in common;
 - (iii) A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
 - (iv) By any other person against an adult or youth victim under the domestic or family violence laws of the state of Ohio (see section 2919.25 of the Revised Code, “Domestic Violence”).
- (e) **Sexual exploitation.** Sexual exploitation occurs when a person takes non-consensual or abusive sexual advantage of another for his/her own benefit or advantage or to benefit or advantage anyone other than the person being exploited, and that behavior does not otherwise constitute another form of sexual misconduct. Examples of sexual exploitation include, but are not limited to, prostituting another, non-consensual video or audio-taping of sexual activity, permitting others to secretly observe or record consensual activity, or engaging in voyeurism.
- (f) **Sex offenses.** See Chapter 2907 of the Revised Code which defines “Sex Offenses” under Ohio law.
- (19) **Theft.** Attempted or actual theft, including possession of stolen property.
- (20) **Unauthorized entry.**

- (a) Unauthorized entry to or use of university premises, including access to residential spaces other than one's own assigned space.
 - (b) Unauthorized possession, duplication, or use of keys to any university premises.
- (21) Unauthorized recording.
 - (a) Unauthorized use of electronic or other devices to make an audio or video record or photograph of any person while on university premises without their prior knowledge or without their effective consent when such a recording or photograph is likely to cause injury or distress, except as otherwise permitted by law.
 - (b) Unauthorized distribution or dissemination of an audio or video recording or photograph of any person without their prior knowledge or consent, even if the recording or photograph originally had been produced with the person's consent, when such a recording or photograph is likely to cause injury or distress, except as otherwise permitted by law.
- (22) Violation of law.
 - (a) Behavior which would constitute a violation of federal, state, or local law that adversely affects the university community or interferes with the university's mission or its educational objectives and programs.
 - (b) Since the university student conduct process is educational in nature and differing judgements may result between university action and outside legal action, the university in its sole discretion may pursue student conduct action and impose sanctions against a student for a violation of law:
 - (i) Regardless of where the behavior occurs;

- (ii) When a student is charged with a violation of law but not with any other violation of The Student Code of Conduct;
 - (iii) When a student is charged with a violation of law which is also a violation of The Student Code of Conduct;
 - (iv) While the student is also subject to criminal proceedings, arrest and/or prosecution or civil litigation.
 - (c) University conduct action may be carried out prior to, simultaneously with, or following civil or criminal proceedings.
 - (d) The university will cooperate, to the extent permitted by law, with law enforcement and other agencies in the enforcement of all laws and will not request or agree to special consideration for an individual because of that individual's status as a student.
- (23) Weapons. Illegal or unauthorized possession of firearms, fireworks, explosives, other weapons, or dangerous chemicals on university premises or use of any such item, even if legally possessed, in a manner that harms, threatens, or causes fear to others.
- (E) Article IV. Student conduct procedures.
- (1) General. This overview gives a general idea of how the university's campus student conduct proceedings work, but it should be noted that not all situations are of the same severity or complexity. Thus, while consistency in similar situations is a priority, these procedures are flexible, and are not exactly the same in every situation.
 - (a) These proceedings are administrative procedures and do not follow the specific steps, methods, or standards of proof of evidence used in civil or criminal courts.

- (b) Any member of the university community may report alleged violations of “The Student Code of Conduct” by a student or a student group/organization. The report shall be prepared in writing and directed to the office of student conduct. A report of a violation of “The Student Code of Conduct” shall be submitted as soon as possible after the incident occurs, but not later than thirty days following the university becoming aware of an incident. Exceptions to this limitation period will be reviewed by the student conduct administrator and may be granted in their discretion.
 - (c) The student conduct officer shall review reports of violation(s) and may initiate investigations of possible violation(s) of “The Student Code of Conduct” to determine if the charges have merit. In reviewing the reports, the student conduct officer will determine whether the alleged violation(s) may be resolved through a conduct conference or a conduct hearing. Students or student groups/organizations that might be subject to university suspension or expulsion shall automatically be provided a student conduct board hearing.
 - (d) The standard of proof utilized in all university student conduct proceedings shall be a preponderance of evidence. Preponderance of the evidence is known as the balance of probabilities, met if the proposition is more likely to be true than not true. Effectively, the standard is satisfied if there is greater than 50 percent chance that the proposition is true.
- (2) Student conduct conference.
- (a) Any student, student group, or student organization (hereinafter referred to as the respondent) who has been charged with an alleged violation of the student conduct standards of “The Student Code of Conduct” will first be scheduled for a conduct conference with the conduct officer assigned to review the allegation. The respondent will be notified in writing via their official university e-mail

address, of the date, time, and location of the conduct conference. Written notification will include:

- (i) The specific charges pending against the respondent;
 - (ii) A brief summary of the referral;
 - (iii) Statement of rights and responsibilities; and
 - (iv) If applicable, a statement notifying the respondent that the alleged conduct is significant enough that they may face suspension or expulsion if the charge is substantiated.
- (b) The conduct conference is the first step in student conduct process and serves to provide the respondent with the opportunity to discuss the allegations that led to the referral. The respondent will receive more information regarding the process, clarification of their rights and options, the ability to inspect and review all relevant information as well as a range of potential sanctions(s) for the violation(s) in question should the charges be substantiated. After a discussion regarding the incident and review of relevant information, the respondent will have an opportunity to accept or deny responsibility for the charge(s).
- (c) If the respondent accepts responsibility for the charge(s), the conduct officer will sanction the respondent as part of the conduct conference. The respondent will be asked to sign a conduct agreement which will outline all of the sanctions offered to the respondent. While the student may sign the agreement immediately, they have up to three university working days to do so. The respondent has the option to accept the charge(s) but contest the sanction(s) or agree to both the charge(s) and sanction(s). Once the agreement is signed, the decision is final and there is no appeal process. If the respondent denies responsibility for one or more of the charges, the conduct officer will refer the case for a student conduct board hearing.

- (3) Student conduct board hearing.
 - (a) The purpose of a hearing is to provide an equitable forum for the review of the available information regarding an alleged incident of misconduct. The student conduct board hearing panel will decide by the preponderance of evidence whether or not the respondent is found responsible for the charge(s). All hearings are closed to the public, with the exception of advisors for the complainant and respondent and the hearing panel. All parties directly participating in the hearing (the respondent, complainant, and conduct officer) may remain present the entire time, excluding deliberations.
 - (b) Student conduct board hearing panels consist of three members of the student conduct board. Each student conduct board hearing will have a hearing panel chair. The chair is responsible for keeping the proceedings moving forward.
 - (c) If the respondent fails to appear at a scheduled student conduct board hearing and the absence is not excused, the hearing may proceed in the respondent's absence or may be rescheduled at the discretion of the chair.
 - (d) Each student conduct board hearing panel may have a hearing panel advisor, at the discretion of the chair or the student conduct administrator. The role of the hearing panel advisor is to ensure the student conduct process is adhered to and to answer procedural questions posed by any party during the hearing. The hearing panel advisor will also keep the proceedings focused on issues relevant to the specific allegations. The hearing panel advisor may be summoned by the hearing panel during deliberations to answer questions and provide guidance as necessary.
- (4) Hearing procedures.
 - (a) Guidelines.

- (i) The chair will explain the rights and responsibilities of the respondent and the complainant.
 - (ii) The chair and hearing panel advisor are responsible for assuring that these rights as well as the process described in this section are adhered to during the hearing.
 - (iii) The respondent or the complainant may ask for the removal of a hearing panel member by providing written or verbal evidence of bias. The charge of bias is made to the chair who will determine whether it is valid. If the charge of bias is against the chair, the hearing panel advisor will decide whether it is valid. If bias is found, or is unable to be determined, the hearing will be rescheduled.
 - (iv) The conduct officer may ask questions of any party at any time throughout the hearing.
 - (v) The chair and hearing panel advisor are responsible for determining the relevancy of questions asked during a hearing and may deem certain questions irrelevant and not allow them to be answered.
 - (vi) The chair may exclude persons from the hearing if they are disruptive or postpone the hearing because of disruptive behavior by participants or observers.
- (b) Introduction.
- (i) Each party in the room will introduce themselves and explain their role in the hearing.
 - (ii) The chair will then explain the process and procedures for the hearing.
 - (iii) All witnesses will then be dismissed from the room.

- (c) **Presentation of information.**
- (i) **Following the introduction, the chair will present the respondent with the charges against them. The respondent will respond to each charge by acknowledging that they are responsible for the charge or by denying responsibility for the charge.**
 - (ii) **The conduct officer will explain why the case was referred for a hearing and will provide a detailed summary of the incident and any subsequent investigation undertaken.**
 - (iii) **If there is a complainant, they will then have an opportunity to provide the hearing panel with a summary of their role and perspective on the incident. The complainant may be represented by the conduct officer.**
 - (iv) **The hearing panel will then ask the respondent to describe their involvement in the matter at hand as it pertains to the charges being considered in the hearing.**
 - (v) **The conduct officer will then present any relevant witnesses or documentary information. The respondent, and complainant will each in turn have the opportunity to ask questions regarding the information presented by the conduct officer to this point.**
 - (vi) **The respondent will then present any relevant witnesses or documentary information to the hearing panel. The hearing panel and the conduct officer will each in turn have the opportunity to ask questions regarding the information presented by the respondent to this point.**
 - (vii) **The conduct officer will have an opportunity to make a summary statement including any sanctioning recommendations.**

- (viii) The complainant will have an opportunity to make a summary statement including any sanctioning recommendations.
 - (ix) The respondent will have an opportunity to make a summary statement including any sanctioning recommendations.
- (d) Deliberation and finding.
- (i) The hearing panel will go into closed session to determine by the preponderance of evidence whether the respondent will be found responsible for the charge(s) pending in this matter. Student conduct hearing panels determine findings by majority vote.
 - (ii) If the respondent is found responsible for a violation of one or more of the pending charges, the hearing panel will proceed to sanctioning. At this time, the hearing panel will be presented with any relevant information pertaining to the respondent's prior student conduct cases and sanctions.
 - (iii) The hearing will reconvene for the announcement of the findings and any subsequent sanction(s). In student conduct board hearings, the sanction(s) are recommended to the associate vice president for student experience or designee, who will make the final decision. While normally the recommendation will be the sanction imposed, the associate vice president for student experience or designee may impose a different sanction.
 - (iv) Written notification of the decision will be sent to the respondent and complainant via their official university email addresses.

- (5) Student rights and responsibilities. The following rights and responsibilities apply to those involved in a matter being addressed by the student conduct process.
- (a) Rights of respondent. All respondents in the student conduct process have the following rights:
- (i) Written notice of the charge(s) made against them and the basis of the allegation that led to the charge(s).
 - (ii) In matters that could result in a sanction of suspension or expulsion, the above mentioned notification will alert the respondent to the possible severity of the outcome.
 - (iii) The right to an advisor. It is the respondent's responsibility to communicate all necessary information regarding the student conduct process and proceedings with the advisor, unless the respondent signs an authorization for the release of information, thus allowing the office of student conduct to communicate directly with the advisor.
 - (iv) To request reasonable accommodations due to disability. (See "Reasonable accommodation for students with disabilities, paragraph (E)(6) of this policy).
 - (v) To make a request for a change of date for a student conduct proceeding, so long as the request is made no less than 48 hours in advance of the initially scheduled proceeding. Rescheduled proceedings will generally occur within three university working days of the initially scheduled proceeding.
 - (vi) Reasonable access to inspect and review their own case file, which includes all information that would be used during the student conduct process, to the extent permitted by confidentiality laws.

- (vii) Explanation of the resolution options available to them through the student conduct process.
 - (viii) To be presumed not responsible for an alleged violation until found in violation by a preponderance of the evidence.
 - (ix) To speak or not speak on their own behalf.
 - (x) The opportunity to respond to information used as part of the decision-making process.
 - (xi) To deny responsibility for the charge(s) facing them and request that the case be referred to a student conduct board hearing.
 - (xii) To question any witness who participates as part of a hearing.
 - (xiii) The right to appeal.
 - (xiv) To waive any of the above stated rights provided that the waiver is made freely and in writing.
- (b) Rights of the complainant. All complainants in the conduct process have the following rights:
- (i) To pursue criminal or civil charges where a legal case exists (without university assistance).
 - (ii) Explanation of the resolution options available to them through the conduct process.
 - (iii) To be free from harassment and intimidation from respondents and others as they engage in this process.
 - (iv) The right to an advisor. It is the complainant's responsibility to communicate all necessary information regarding the student conduct process and proceedings with the advisor, unless the

complainant signs an authorization for the release of information, thus allowing the office of student conduct to communicate directly with the advisor.

- (v) To request reasonable accommodations due to disability. (See “Reasonable accommodation for students with disabilities,” paragraph (E)(6) of this policy).
 - (vi) To make a request for a change of date for a student conduct proceeding, so long as the request is made no less than 48 hours in advance of the initially scheduled proceeding. Rescheduled proceedings will generally occur within three university working days of the initially scheduled proceeding.
 - (vii) To provide information for consideration during the conduct process, and to know the results of the process to the extent allowed under federal laws and university policies.
 - (viii) The opportunity to appear at any hearing that may take place in order to provide relevant information.
 - (ix) The opportunity to submit a written impact statement for use in a hearing, even if the complainant chooses not to attend the hearing.
- (c) Responsibilities of respondents, complainants, and witnesses. All respondents, complainants, and witnesses in the conduct process have the following responsibilities:
- (i) To be honest and forthright in all information they provide during the student conduct process. Presenting false and misleading information during this process is a violation of student conduct standards as outlined in this policy.
 - (ii) To attend all scheduled meetings, conferences, or hearings, unless alternate arrangements are made in advance.

- (iii) To refrain from disruption of the hearing process. Disruption of this process is a violation of this policy. (See “Student conduct standards/ prohibited conduct,” section (D) of this policy.)
 - (iv) Respondents have the responsibility to prepare and present their entire case as well as secure the presence of any witnesses who will speak on their behalf.
- (6) Reasonable accommodation for students with disabilities. Any student with a disability involved in the student conduct process has the right to request reasonable accommodation in order to ensure their full and equal participation. Students wishing to request reasonable accommodations should make those requests directly to the center for student progress (“CSP”) disability services. Students do not have to disclose information about the complaint or charge to CSP disability services to request reasonable accommodation, except to the extent that it may assist in the determination of reasonable accommodations.

Accommodations are determined on an individual basis by CSP disabilities services staff and implemented in consultation with the office of student conduct. Examples of reasonable accommodation include sign language interpretation, real-time communication access during hearings, large print documents, extended time to review documents, or assistance with transcribing questions during interviews or hearings.

- (7) Sanctions. If the student or student group/organization is found in violation of any policy, sanctions will be issued. A conduct sanction imposed or other action taken by any student conduct body shall become effective upon written notification to the respondent. The notification will be sent to the respondent’s official university email account. In cases involving a student group/organization, notification will be sent to the official university email account for the president or student group/organization leader. The decision of a student conduct body may be appealed in writing pursuant to paragraph (E) (9) of this policy. If the respondent files a request for, and if the appeal is

denied, the sanction shall take effect upon exhaustion of the appeals process and shall be retroactive to the effective date stated in the original notification to the respondent.

- (a) The following sanctions may be imposed upon any student who has been found responsible for a violation of “The Student Code of Conduct”. Sanctions are typically issued in a progressive fashion, however each situation differs, and many factors, including the severity of a violation and the impact of the violation on the campus community will be taken into consideration in determining sanctioning.
 - (i) **Warning.** A written notification statement that the student is violating or has violated “The Student Code of Conduct.” Continuation or repetition of inappropriate conduct may be cause for increased sanctioning.
 - (ii) **Conduct probation.** Notice in writing that the violation of “The Student Code of Conduct” is serious and that any subsequent violation(s) of university regulations may result in imposition of additional restrictions or conditions, suspension or expulsion.
 - (iii) **Conduct probation with restrictions.** Notice in writing that the violation of university regulations is a serious and that any subsequent violation(s) of “The Student Code of Conduct” may result in suspension or expulsion. In addition, an order preventing the student from holding university elective office, student employment, participating in any intercollegiate activity or sport, participating in any university sponsored program/organization, or representing the university in any other manner will be attached to this sanction.
 - (iv) **Restitution.** Compensation for loss, damage, or injury. This may take the form of appropriate service or monetary or material replacement.

- (v) Educational sanctions. Other sanctions may be imposed instead of, or in addition to, those specified above. These may include community service, counseling, educational assignments, or other similar sanctions designed to assist the respondent in reflecting upon their behavior and the impact of their behavior on self or others.
- (vi) Deferred suspension. Separation of the student from the university and/or residence halls is deferred for a specified period of time. If the student is found in violation of any subsequent violations of “The Student Code of Conduct,” the suspension takes effect immediately and may not be appealed.
- (vii) Residence hall suspension. Separation of the student from the residence halls for a specified period of time after which time the student is eligible to return. During the suspension period, the student is prohibited from accessing any university housing facilities. This may include residential dining facilities.
- (viii) University suspension. Separation of the student from the university for a specified period of time after which time the student is eligible to return. During the suspension period, the student does not have access to the university and is prohibited from participating in any academic or other university activities. This may include residential dining facilities.
- (ix) Residence hall expulsion. Permanent separation of the student from the residence halls. An expulsion denies the student access to all university housing facilities on a permanent basis. This may include residential dining facilities.
- (x) University expulsion. Permanent separation of the student from the university. An expulsion denies

the student access to the university, including any campus facilities, any campus programs or activities, and any class sessions on a permanent basis.

- (xi) **Revocation of admission and/or degree.** Revocation of admission to or awarding of a degree from the university for fraud, misrepresentation, or other violation of university standards in obtaining the degree, or for serious violations committed by a student prior to graduation.
 - (xii) **Withholding degree.** Withholding the awarding of a degree otherwise earned until the completion of the process set forth in “The Student Code of Conduct,” including the completion of all sanctions imposed, if any.
 - (xiii) **Fines.** Fines for violations of “The Student Code of Conduct” will be assessed and charged to the student’s account. A list of fines for all violations will be determined at the discretion of the associate vice president for student experience, who will submit a list of the fines structure to the university board of trustees for approval on an annual basis. The fines structure must be included as a part of “The Student Code of Conduct” when published and presented to students.
- (b) More than one of the sanctions listed above may be imposed for any single violation.
 - (c) The following sanctions may be imposed upon student groups/organizations:
 - (i) Those sanctions as outlined in paragraph (E)(7) of this policy.
 - (ii) **Deactivation.** Loss of all privileges, including university recognition, for a specified period of time.

- (d) In each case in which a student conduct body determines that a student or student group/organization has violated “The Student Code of Conduct”, the sanction(s) shall be determined and imposed by the same student conduct body. The student conduct administrator shall be responsible for ensuring that sanctions imposed by hearing panels and conduct officers are consistent with the violation and sanctions imposed for similar violations in other similar cases.
- (8) Interim measures. In certain circumstances, the associate vice president for student experience may impose an interim measure prior to a student conduct board hearing or conduct conference this includes university or residence hall suspension,
- (a) Interim measures may be imposed only:
 - (i) To ensure the safety and well-being of members of the university community or to preserve university property;
 - (ii) To ensure the respondent’s own physical or emotional safety and well-being;
 - (iii) If the respondent poses a threat of disruption or interference with the normal operations of the university; or
 - (iv) If the respondent is charged with the commission of a criminal offense as defined in section 2901.01 of the Revised Code.
 - (b) In the event that an interim measure is imposed, the student or student group/organization will be notified either in person or by regular U.S. or certified mail of the cause for the interim measure. The respondent will also be notified via their official university email address. The interim measure becomes effective immediately upon notification. A hearing panel will convene as expeditiously as possible to review the case. The hearing will follow the procedures

outlined in paragraph (E)(4) of this policy and may proceed before, during, or after any criminal proceedings.

- (c) In the case of an interim suspension, the student or student group/ organization shall be denied access to all housing facilities and/or to the campus (including classes) and/or all other university activities or privileges for which the student or student group/organization might otherwise be eligible, unless determined otherwise by the student conduct administrator.
- (9) Appeals.
- (a) The decision or sanction imposed by a student conduct body may be appealed by the respondent or complainant (“the appellant”) within five university working days of notification of the decision. If an appeal is not received within this time frame, the decision reached by the student conduct body will be final.
 - (b) Requests for appeals shall be made in writing and shall be e-mailed or delivered to the office of student conduct. The request for appeal should indicate the grounds on which the decision is being appealed, referencing at least one of the grounds for the appeal (see paragraph (E)(9)(d) of this policy) along with supporting information.
 - (c) Once a request for appeal has been submitted and until the appeal decision has been communicated to the appellant, all sanctions except any issued as interim measures, such as interim suspensions, will be held in abeyance.
 - (d) Appellate hearings are not a re-hearing of the student conduct case. Except as required to explain the basis of new evidence, an appellate hearing shall be limited to review of the record of the initial hearing and supporting documents for one or more of the following grounds:
 - (i) A claim that the original hearing was conducted in violation of procedural requirements set forth in

“The Student Code of Conduct” and to determine whether these violations could have affected the outcome of the hearing.

- (ii) A claim that the decision reached regarding the respondent did not have a reasonable basis for the conclusion reached and that it was not based on proof by a preponderance of the evidence.
 - (iii) A claim that the sanction(s) imposed was/were disproportionate and without basis to the violation of “The Student Code of Conduct” for which the respondent was found responsible.
 - (iv) A claim that there is new information, sufficient to alter a decision or other relevant facts not presented in the original hearing because such information and/or facts were not known by the appellant at the time of the original hearing.
- (e) The burden of proof rests with the appellant.
- (f) The appellant may, in preparing the request for appeal, have access to records of the case, which must be reviewed in the office of student conduct.
- (g) A request for appeal in a case adjudicated by a conduct officer will be reviewed by the student conduct administrator. A request for appeal in a case adjudicated by a student conduct board hearing panel will be reviewed by an appellate hearing panel. An appellate hearing panel is composed of three members from the student conduct board selected by the student conduct administrator.
- (h) Once a request for appeal has been submitted by the complainant or respondent, the other party shall receive a copy of the request for appeal and may submit a written response to the request for appeal, which will be considered alongside the request for appeal. Any written response must be submitted within five university working days of notification of the submission of a request for appeal.

- (i) The appellate hearing panel or the student conduct administrator will review the appeal to determine whether one of the grounds listed in this policy has been met.
 - (j) If an appellate hearing panel or student conduct administrator determines that a request for appeal has met one or more of the grounds, the following options are available:
 - (i) Remand the case to the original panel for reconsideration consistent with the granted grounds for appeal.
 - (ii) Uphold the original decision.
 - (k) If the appellate hearing panel or student conduct administrator determines that the request for appeal does not meet one of the grounds, the appeal will be dismissed and the original decision will be upheld.
 - (l) The decision of the appellate hearing panel or student conduct administrator after an appellate review is final.
- (10) Conduct procedures for university housing. Deputy conduct officers have been designated by the student conduct administrator to assist in the review of alleged violations of policy originating within university housing.
- (a) The responsibility for the enforcement of rules and regulations governing student conduct in the residence halls, as outlined in the “Resident Handbook,” is delegated by the student conduct administrator to a conduct officer.
 - (b) Any student, faculty member, or university official may file a written report against any student living in a residence hall for alleged violations of policy within the residence hall, campus dining facilities, or at any residence hall function.

- (c) Upon receipt of a written report, the conduct officer will conduct an investigation to determine whether there is reasonable cause to believe that a violation of “The Student Code of Conduct” may have occurred. If the conduct officer believes that such a violation did occur they will follow the procedures outlined in section (E)(4) of this policy to address the alleged violation.
- (11) Student conduct record. The student conduct administrator shall maintain all student conduct records of information received and action taken by the respective student conduct bodies.
- (a) Conduct sanctions shall not be made part of the student’s academic record but shall become part of the student’s conduct record. Student conduct records shall be expunged seven years after final disposition of the case, excluding students who were sanctioned with residence hall expulsion, university suspension, university expulsion, or revocation or withholding of a degree which shall be expunged fifteen years after final disposition of the case resulting in such action. Upon graduation, the student may petition the student conduct officer for removal of all files contained in their student conduct records. The student may appeal a negative response of the student conduct officer the student conduct administrator.
 - (b) Records regarding university expulsion or university suspension of a student group/organization shall be kept indefinitely.
 - (c) All material gathered from a substantiated conduct case (residence hall, academic, and other) shall become part of any new case against the same respondent(s) after the new charges have been substantiated.
 - (d) Student conduct records are maintained only in the names of respondents found responsible for violations of university policy, local, state or federal law.
- (12) Special procedures. To ensure continued participation of students, faculty, and administration in the student conduct process and to

ensure speedy disposition of conduct cases, the president of the university is empowered to develop a subcommittee structure in the event of a large number of student conduct cases. Such subcommittee shall be empowered to hear and adjudicate cases in accordance with the provisions of “The Student Code of Conduct” and shall ensure that all elements of procedural due process delineated in this article are observed.

(F) Article V. Academic integrity violation procedures.

(1) General.

- (a) Academic honesty is essential to the educational process and serves to protect the integrity of the university community. Therefore, all members of the university community have a responsibility for maintaining high standards of honesty and ethical practice. Cheating, plagiarism, and other forms of academic dishonesty constitute a serious violation of university policy, as outlined in ARTICLE III of this document. Students should consult with the faculty member if they are not sure what may constitute a violation of the academic integrity policy.
- (b) Students suspected of violations of the academic integrity policy may be charged with a violation of university policy under the student conduct standards as outlined in ARTICLE III. 1. of this document. Cases of alleged violations of the academic integrity policy shall be resolved as outlined below.
- (c) The process outlined below is the **only approved process** by which faculty members can address alleged violations of the academic integrity policy. Failure to follow this process or use of any process other than this will result in nullification of any charges against the student and nullification of any sanctions levied against the student. If, following nullification of the charges and sanctions, the faculty member refuses to rectify the impacted grades or assignments, the student has the right to file a grievance against the faculty member. Any internal college,

departmental, or program processes used to address alleged violations of policy or concerns about student conduct are secondary to the processes outlined herein.

(2) Academic integrity conference.

- (a) After the faculty member has gathered evidence of a possible violation, they shall notify the student within forty-eight hours in writing, via university email, of the allegations and invite the student to participate in an academic integrity conference. The faculty member and student may hold the conference without written notification. This academic integrity conference shall occur within five university working days of the written notification to the student.
- (b) The academic integrity conference is the first step in this process, and serves to provide the student with the opportunity to discuss the allegations made by the faculty member. During this meeting, the student should have the opportunity to address the allegations, and to review all relevant information and documentation to the allegations.

In situations where the course is taught primarily online and/or where the student is unable to physically present for the academic integrity conference, the meeting may be conducted via email, phone, or Skype, as appropriate. The faculty member may consult with the judicial chair of the academic grievance subcommittee or the office of student conduct for direction in such situations.

- (c) If, after meeting with the student, the faculty member determines that no violation of the academic integrity policy occurred and/or the student is not responsible for a violation of the academic integrity policy, the faculty member can dismiss the charges by not filling out the academic integrity form.
- (d) If the faculty member concludes that the student is responsible for a violation of the academic integrity policy,

the faculty member shall select an appropriate sanction, as outlined in ARTICLE V. 3. of this document, and will complete the Academic Integrity Form. While the student may sign the form immediately, they have up to five university working days to do so. The student has the option to accept the charge but contest the sanction, or they can agree to both the charge and sanction.

- (e) If the student signs the academic integrity form, acknowledging responsibility for the alleged violation and accepting the sanction, the decision is final and there is no appeal process.
 - (i) The student will return the form to the faculty member. The faculty member will sign the form, and will submit copies of any documentation or statements with the academic integrity form.
 - (ii) The faculty member will forward the form to the departmental chairperson for their signature, acknowledging the case has been brought to their attention. The chairperson has the option to submit a written statement to be included with the academic integrity form.
 - (iii) The chairperson will then forward the form and all documents to the dean for their signature, acknowledging the case has been brought to their attention. The dean has the option to submit a written statement to be included with the academic integrity form.
 - (iv) The dean will then forward the form and all documents to the office of student conduct to be placed in the student's file.
 - (v) The dean of graduate studies will be notified and provided a copy of the form and all documents for cases involving graduate students.

- (vi) No further action is required unless the recommended sanction includes program removal, suspension, or expulsion. In cases where one of these sanctions is recommended, the case will be forwarded to the judicial chair of the academic grievance subcommittee for review.
- (3) Failure to appear, respond or sign.
- (a) If the student fails to respond to the faculty member's request for an academic integrity conference, or fails to attend an academic integrity conference within five university working days of notice by the faculty member, the following will occur:
 - (i) The faculty member will complete and sign the academic integrity form without the student's signature. They will then submit the form along with copies of any documentation or statements to the chairperson for their signature, acknowledging the case has been brought to their attention. The chairperson has the option to submit a written statement to be included with the form.
 - (ii) The chairperson will then forward the form and all documents to the dean for their signature, acknowledging the case has been brought to their attention. The dean has the option to submit a written statement to be included with the form.
 - (iii) The dean will then forward the form and all documents to the office of student conduct to be placed in the student's file. The office of student conduct will then forward the academic integrity form and all documents to the judicial chair of the academic grievance subcommittee for further action.
 - (iv) The dean of the college of graduate studies will be notified and provided a copy of the form and all documents for cases involving graduate students.

- (b) If the student declines to accept responsibility for the charges, and/or declines to accept the sanctions selected by the faculty member, the faculty member should complete the form as outlined above.
- (4) Academic grievance subcommittee referrals
 - (a) If the student declines to accept responsibility for the charges, and/or declines to accept the sanctions selected by the faculty member, the case will be referred to the office of student conduct and forwarded to the judicial chair to initiate a hearing before the academic grievance subcommittee.
 - (b) Regardless of whether the academic integrity form is signed, in cases where program removal, suspension, or expulsion is recommended by the faculty member, the case will be referred to the office of student conduct and forwarded to the judicial chair to initiate a hearing before the academic grievance subcommittee. A representative from the office of student conduct must be present at all such hearings to serve in an advisory capacity.
- (5) Academic grievance subcommittee structure:
 - (a) Judicial chair. Associate provost for academic administration or designee appointed by the provost.
 - (b) Faculty members are appointed by the academic senate and serve a two-year term. One faculty member shall be selected from each of the six colleges. At least three of these appointees will have graduate faculty status. In cases involving graduate matters, only graduate faculty will be appointed. Six (6) faculty members with graduate faculty status will be appointed by graduate council to hear cases involving graduate students.
 - (c) Undergraduate student members are appointed by the associate vice president for student experiences and serve a

two-year term. In addition, six (6) graduate student (preferably one from each college) will be appointed by the graduate council to hear cases involving graduate students.

- (i) Students must complete an application available through the office of student conduct.
 - (ii) One undergraduate student member is selected from each of the six colleges.
 - (iii) Students must have a minimum GPA of 2.5 for undergraduate students and a 3.0 for graduate students.
 - (iv) Students must not have a previous student conduct record.
 - (v) Students should be sophomore status or above.
- (6) Academic grievance subcommittee hearing procedures.
- (a) In cases where the student failed to respond to a request from the faculty member for an academic integrity conference, cases where the student failed to return the signed academic integrity form to the faculty member within the given timeframe, cases wherein the student disputes the charges or sanctions, or in cases when the faculty member recommends program removal, suspension, or expulsion, a hearing by the academic grievance subcommittee is initiated.
 - (b) Within five university working days of receiving the academic integrity form and any supporting documentation of evidence from the faculty member, the judicial chair shall contact the student involved and request a statement and any documentation or evidence they would like to have considered in the hearing. The student will have five university working days to submit these items to the judicial chair.

- (c) Within two university working days of receiving the statement and evidence, the judicial chair shall distribute copies of the academic integrity form and any documentation or evidence produced by the student and faculty member to the academic grievance subcommittee members, the student, faculty member, department chairperson, and appropriate dean. The academic integrity form, course syllabus (submitted by the faculty member, student, or both), and any documentation or evidence produced by the student, faculty member, chairperson, or dean compose the academic integrity packet.
- (d) A hearing date, time, and location for the academic grievance subcommittee hearing will be established by the judicial chair. Academic grievance subcommittee members shall have a minimum of three university working days to review all written materials in the academic integrity packet. The hearing notice shall be sent to the parties directly involved in the grievance procedure, excluding advisors and witnesses. Parties directly involved include:
 - (i) Faculty/student. The party who files the academic integrity form and the party who is alleged to have violated the academic integrity policy. If either party cannot or refuses to attend the hearing, they may provide written statements to be submitted for evidence. Faculty members are permitted to have a substitute who will exercise all the rights and responsibilities of the absent faculty member.
 - (ii) Department chairperson. The chairperson of the department in which the faculty member resides. The chairperson's attendance is optional. If the chairperson is in attendance they will be brought in to speak with the hearing panel after the presentation of information by the faculty member and student and without the faculty member or student present. The chairperson's role in the hearing is to provide information on any knowledge they have of the case as well as to provide insight

into and clarify any questions regarding the particular culture of the department or expectations of students in the department.

- (iii) **Dean.** The dean of the college in which the faculty member's department is housed. The dean's attendance is optional. In addition, the dean of graduate studies has the option to attend in cases that involve graduate students and graduate faculty members. If the dean is in attendance, they will be brought in to speak with the hearing panel after the presentation of information by the faculty member and student and without the faculty member or student present. The dean's role in the hearing is to provide information on any knowledge they have of the case as well as to provide insight into and clarify any questions regarding the particular culture of the department or expectations of students in the department.
- (iv) **Academic grievance subcommittee hearing panel members.** Derived from the membership of the student academic grievance subcommittee of the academic senate. At minimum, each hearing panel consists of three faculty members, three undergraduate students, and the judicial chair. In hearings involving allegations against a graduate student, graduate college representatives will form the hearing panel. The hearing panel conducts the formal hearing and renders a decision. No member of a hearing panel will hear a case directly involving themselves.
- (v) **Advisors:** The student and the faculty member may each avail themselves of the services of an advisor throughout the academic integrity process. An advisor may be drawn from within or outside the University community. Advisors may not present testimony or speak on behalf of the party whom they are advising. They are permitted, however, to give notes or whisper

instructions/advice to the party whom they are advising. Examples of advisors include a parent, attorney, clergy, other faculty member, or coach. The advisor may not be the chairperson or dean for the college in which the faculty member or student is housed. In situations where a graduate assistant is considered the instructor of record and is the party who submitted the academic integrity form, the chairperson may serve as an advisor to the graduate assistant and is permitted to stay throughout the hearing.

In cases in which the student is a dully enrolled high school and university student (through the Youngstown early college or the college credit plus program) the student may have both a parent and a secondary advisor present for the hearing.

- (vi) Witness(es): Witnesses who have something to add to the hearing either in support of the faculty member or student are permitted. While the number of witnesses is not limited, the number of witnesses that present repetitive testimony may be limited at the discretion of the judicial chair.
 - (f) If the student or faculty member is unable to be physically present for the hearing, then both the faculty member and student will be made available for the hearing through the same electronic means in order to provide equal treatment to all parties. This may include either teleconference or Skype, as deemed appropriate by the judicial chair.
- (7) Rights of hearing parties.
- (a) The following rights are guaranteed to the student and the faculty member:
 - (i) The right to be present.
 - (ii) The right to be accompanied by an advisor of their choice.

- (iii) The right to speak in support of their argument.
 - (iv) The right to bring witnesses in support of their case.
 - (v) The right to present any relevant information directly supporting their written items in the academic integrity packet, including oral testimony.
 - (vi) The right to refute information presented.
 - (vii) The right to consult with the judicial chair or the office of student conduct regarding the hearing, their testimony or the presentation of any testimony in support of their case.
- (b) The judicial chair has the right to:
- (i) Limit the amount of time testimony is presented by any given individual;
 - (ii) Remove disruptive individuals from the room;
 - (iii) Ensure that only the members of the hearing panel, student, and faculty member are present in the room;
 - (iv) Ensure that all witnesses remain outside the hearing room and are brought in and dismissed after their testimony is presented.
 - (v) Extend the timeline for the hearing process.
- (8) Deliberation and findings.
- (a) The hearing panel shall meet in closed session to review the information presented and reach a decision. The hearing panel shall vote using secret ballots tallied by the judicial chair. The judicial chair will only vote in circumstances of a tie among the hearing panel members.

- (b) If the hearing panel determines that the student is responsible for a violation of the academic integrity policy, the hearing panel may consider previously resolved cases (on file with the office of student conduct) involving the student when assigning an appropriate sanction. The judicial chair will present such information to the hearing panel only after a determination of responsibility on the case in question has been reached.

The standard of proof utilized in all university student conduct proceedings shall be a preponderance of evidence. Preponderance of the evidence is known as the balance of probabilities, met if the proposition is more likely to be true than not true. Effectively, the standard is satisfied if there is greater than 50 percent chance that the proposition is true

- (c) Both parties shall be informed of the hearing panel's decision in writing within three university working days. This statement shall be prepared and signed by the judicial chair and forwarded to the office of student conduct, graduate school dean when appropriate, provost and all parties directly involved in the hearing, except advisors and witnesses.
- (ii) Notice of the hearing panel's decision ends the academic grievance subcommittee's involvement in the disposition of the case.
- (iii) A file of all pertinent documents for all academic integrity hearings shall be kept by the office of the provost and the office of student conduct.
- (iv) Any change of grade as a result of the hearing panel's decision should be made by the faculty member and signed by the respective chairperson and/or dean within five university working days. If the faculty member, chairperson and/or dean refuse to sign the grade change form, then the provost will do so.

- (9) Appeals.
- (a) Only students may appeal the decision of the academic grievance subcommittee regarding for cases involving alleged violations of the academic integrity policy. The appeal can only be based on procedural violations and must be submitted within five university working days from the date on which the student was notified of the hearing panel's decision. The request for an appeal is submitted in writing to the judicial chair.
 - (b) The judicial chair will forward the written appeal to the academic senate executive committee within two university working days.
 - (i) If the academic senate executive committee determines that no procedural violations occurred, or that any procedural violations were minor and did not affect the original hearing panel's decision, the original hearing panel's decision is upheld and the case is closed.
 - (ii) If the academic senate executive committee determines that procedural violations may have occurred and were potentially substantive enough to have affected the hearing panel's decision, the case will be referred to a three-person appellate hearing panel consisting of one student and two faculty members. This appellate hearing will take place within twelve university working days of receipt of the written appeal.
 - (c) Appellate hearing panel.
 - (i) No member of the appellate hearing panel will hear a case directly affecting themselves.
 - (ii) Prior to the appellate hearing, members of the appellate hearing panel shall review all relevant documents.

- (iii) The chair of the appellate hearing panel shall inform both parties of the decision as soon as reasonably possible. A written statement of the decision shall be prepared and signed by the chair of the appellate hearing panel, forwarded to the student, faculty member, office of student conduct, and office of the provost within five university working days of the decision via university email.
 - (iv) A file of all pertinent documents for all appeals shall be kept by the office of student conduct and/or the office of the provost.
 - (v) The decision reached by the appellate hearing panel is final and may not be appealed.
- (d) At the discretion of the chair of the appellate hearing panel, the timeline under the appeal process may be extended.
- (e) If the appeal results in a grade change, the grade change form should be completed by the faculty member and signed by the respective chairperson and/or dean within three university working days. If the faculty member, chairperson, and/or dean refuse to sign the grade change form, then the provost will do so.
- (10) **Sanctions.** A list of possible sanctions and guide to selecting sanctions is available in the appendices. Sanctions for violations of the academic integrity policy may include, but are limited to, the following:
- (a) Issue an official warning.
 - (b) Lowering the grade on the exam, paper or assignment in question.
 - (c) Lowering the final grade for the course.
 - (d) Requesting additional action from the academic grievance subcommittee, including removal from a course, removal

from an academic program, university suspension, or expulsion.

- (e) Other sanctions as deemed appropriate by the faculty member. The faculty member may consult with the judicial chair, office of student conduct, chairperson or dean regarding appropriate sanctions.
- (11) Role of the student conduct administrator (“SCA”). The student conduct administrator or designee has the following responsibilities with regards to all cases involving alleged violations of the academic integrity policy
- (a) To create/maintain a student conduct file containing the completed academic integrity form and supporting documents.
 - (b) To expunge all records as outlined in this policy.
 - (c) In cases where the academic integrity form is completed by all parties, they will acknowledge receipt of this form by emailing the student, faculty member, chairperson, and dean with a letter that details the resolution of the case.
 - (d) In cases where the student has already been found responsible for a previous academic integrity violation, any additional violation will result in a review of all cases by the office of student conduct for possible additional charges and sanctioning.
- (G) Article VI. Section 3345.22 of the Revised Code, the “1219” hearing process.
- (1) Background. Disruptive behavior and the “1219” procedure. The Ohio Campus Disruption Act, also known as Ohio House Bill 1219, is codified in sections 3345.22 and 3345.23 of the Revised Code. The purpose of the law is to protect university students, faculty, staff, and other members of the campus community from crimes of violence committed in the vicinity of the university or upon people or property at the university.

A “1219” hearing is appropriate when a student is arrested for a crime of violence committed on or near the university. If a student is convicted of an offense of violence that occurred on or near the university, the student will be automatically suspended pursuant to section 345.23 of the Revised Code. The purpose of the “1219” hearing is to remove students from campus who may be a threat to the safety and security of the student body or campus community.

- (2) Definition of a “crime of violence.” There are over 30 crimes of violence considered violations of the “1219” law, including but not limited to the following: arson, assault, burglary, domestic violence, discharged firearm, felonious assault, gross sexual imposition, inciting to violence, inducing panic, intimidation, kidnapping, menacing, murder, rape, riot, robbery, sexual battery, and voluntary manslaughter.
- (3) Jurisdiction of the “1219” hearing.
 - (a) If a student is arrested for a crime of violence referenced in division (D) of section 3345.23 of the Revised Code, they may be temporarily suspended from the university, according to “The Student Code of Conduct,” which is referred to as an interim suspension. This suspension will last during the process of the “1219” hearing and continue until the student meets with the office of student conduct. The results of the “1219” hearing discussed below does not alter the student’s status under an interim suspension.
 - (b) A “1219” hearing, which is distinctly separate from a conduct conference or a student conduct board hearing, will be held shortly after a student’s arrest for a crime of violence. The hearing can be continued for good cause. The purpose of the “1219” hearing is to determine by a preponderance of the evidence whether the student committed an offense of violence.
 - (c) If the referee, as appointed by the university (office of the general counsel), finds that the student did commit an offense of violence on or near the university, the referee will then determine if the student should be under strict probation or suspended from the university pending the

outcome of the criminal case. However, as noted above if the student is under an interim suspension, the student will remain suspended, even if they only receive strict probation from the referee, until the conclusion of the student conduct process administered by the office of student conduct.

- (d) Following the "1219" hearing, the criminal case outcome will determine the student's status under section 345.23 of the Revised Code. If the student is convicted of an offense of violence in the criminal case, the student will be suspended from the university for at least one year.
- (e) Upon acquittal, or upon any final judicial determination not resulting in conviction of an offense of violence, the "1219" suspension automatically terminates and the student in question shall be reinstated and the record of the "1219" suspension expunged from the person's university record. The criminal process and "1219" hearing are separate. The outcome of the "1219" hearing has no bearing on the criminal case.
- (f) When a student is found not guilty, they may return to school, but upon conclusion of the "1219" hearing and possibly while the criminal case is still underway, the university may, and in nearly all cases, will initiate the student conduct process. The student may also be under the restriction of an interim suspension. Unless the student is not under an interim suspension or has been found responsible of a violation of "The Student Code of Conduct," the student would be permitted to return to school.
- (g) If the student is found guilty at the criminal trial for an offense of violence on or near the university, they will be suspended from Youngstown state university for the period of one year. The student will receive a written notice of the suspension from the office of student conduct. The student must receive approval from the board of trustees to be permitted to return to the university. This one-year suspension will still be imposed even if the student is found

not responsible for a violation of “The Student Code of Conduct.”

- (4) The “1219” hearing process. The “1219” hearing will be an adversary proceeding. Unlike a student conduct hearing, a “1219” hearing will be conducted by a referee appointed by the university. A university attorney will present the evidence at the hearing on behalf of the university. The student has the right to:
- (a) Be represented by an attorney.
 - (b) To cross-examine witnesses called by the state (the university).
 - (c) Call upon his/her own witnesses.
 - (d) To present evidence.
 - (e) To give a statement (but not required to do so). If the student does not appear at the hearing, the student will be suspended. In the absence of a waiver of the right against compulsory self-incrimination, the testimony of a student whose suspension is being considered, given at the hearing, shall not subsequently be used in any criminal proceeding against the student.
- (5) Burden of proof. Preponderance of the evidence is the standard use for all “1219” hearings. Preponderance of the evidence is known as the balance of probabilities met if the proposition is more likely to be true than not true. Effectively, the standard is satisfied if there is greater than fifty per cent chance that the proposition is true. The referee must find that the student committed the offense by a preponderance of the evidence.
- (H) . Article VII. Parental/guardian notification policy. Youngstown state university is committed to an educational environment that promotes the safety, responsible decision-making, and social and intellectual development of all students. Furthermore, the university is concerned with taking a proactive approach in regards to students who may be experiencing problems with alcohol or other drugs. It is the policy of Youngstown state university to notify parents of students under twenty-

one years of age if such students have been found responsible for violating institutional policies regarding alcohol or other drugs, in an effort to create a positive support network for students.

- (1) Parameters.
 - (a) This policy will be applied in situations where students under the age of twenty-one have been found responsible for a violation of university policies regarding drugs or alcohol.
 - (b) The office of student conduct shall be responsible for administering all procedures of the parental/guardian notification policy.
- (2) Procedures.
 - (a) Parents/guardians shall be notified when the underage student is found responsible for a violation of the drug or alcohol policies.
 - (b) The associate vice president for student experience, or designee, may make an exception to the parental/guardian notification policy if in their judgment it is determined that harm would come to the student as a result of parental/guardian notification.
 - (c) The notification will be provided in writing from the office of student conduct and will be mailed to the student's home address.
 - (d) The notification letter will inform parents or guardians that their student has been found responsible for a violation of an alcohol or drug policy. Included with the letter will be answers to frequently asked questions. Parents or guardians will be encouraged to discuss the incident with the student.
 - (e) The office of student conduct will be responsible for responding to questions from parents/guardians. If a parent or guardian is interested in reviewing their student's

conduct file, the student generally must sign a waiver to release this information. There are exceptions to this that will be determined on a case by case basis.

- (I) Article VIII. Interpretation and revisions. Any question of interpretation or application regarding “The Student Code of Conduct” shall be referred to the student conduct administrator for final determination.

“The Student Code of Conduct” shall be reviewed every three years under the direction of the student conduct administrator. Any member of the university community may recommend a change to “The Student Code of Conduct” to the associate vice president for student experience. The associate vice president for student experience shall distribute the recommendation to the appropriate areas and gather feedback. If the change is endorsed by the associate vice president for student experience, the change shall be presented to the board of trustees for adoption.

- (J) Glossary of Terms, when used in “The Student Code of Conduct.”

- (1) The term “academic grievance subcommittee” is a group of university students and faculty selected and trained to adjudicate hearings wherein a student has allegedly violated the academic integrity policy for the university. Each hearing has a hearing panel consisting of at least six members from the academic grievance subcommittee
- (2) The term “appellate hearing panel” shall mean any person or persons authorized on a case-by-case basis by the student conduct administrator to consider a request for appeal from a student conduct body’s determination that a student has violated “The Code of Student Conduct” or from the sanctions imposed by the student conduct body.
- (3) The terms “can,” “may,” or “should” specify a discretionary provision of “The Code of Student Conduct.”
- (4) The term “complainant” shall mean any person who submits a referral alleging that a student violated “The Code of Student Conduct.”

- (5) The term “deputy conduct officer” shall mean a university official authorized on a case-by-case basis by the student conduct administrator to serve as a charging administrator to review complaints, determine responsibility, and impose sanctions upon students found to have violated “The Student Code of Conduct.”
- (6) The term “faculty member” shall mean any person employed by the university to conduct classroom or teaching activities or who is otherwise considered by the university to be a member of its faculty. In certain situations, a person may be both “student” and “faculty member.” One’s status in a particular situation shall be determined by the relevant circumstances.
- (7) The terms “file” or “records” mean information relating to a current or former student which is stored in a fashion that facilitates recovery of that information by reference to the individual in whatever form or medium such gathering of information is created, kept, or maintained.
- (8) The term “function” shall mean all student activities or events occurring at the university or sponsored by registered student organizations, groups, or members of the academic community.
- (9) The term “group” shall mean a number of students who are associated with each other and who have not complied with university requirements for registration as an organization.
- (10) The terms “hearing panel” or “hearing panel members” shall mean individuals who have been selected or assigned to adjudicate a hearing. These individuals are selected from a trained body, including the student conduct board and the academic grievance subcommittee.
- (11) The term “hearing panel advisor” shall mean the student conduct administrator, or designee, or appointee. The hearing panel advisor has responsibility for ensuring that policies and procedures within this document are adhered to within any student conduct process. The hearing panel advisor may be involved in any part of the student conduct process, and may provide input or answers, or otherwise answer questions asked by any parties.

- (12) The term “may” is used in the permissive sense.
- (13) The term “member of the university community” shall include any person who is a student, faculty member, university official, any other person employed by the university, or any person lawfully present on university premises.
- (14) The term “organization” shall mean a university-registered student organization which as complied with formal requirements of official registration.
- (15) The term “policy” shall be defined as the written regulations of the university as found in, but not limited to, “The Student Code of Conduct,” “Resident Handbook,” “Penguin Student Handbook,” the university website, undergraduate/graduate catalogs, university policies, and board of trustees policies.
- (16) The term “respondent” shall mean any student accused of violating “The Student Code of Conduct.”
- (17) The terms “shall,” “must,” “will,” or “is required” specify a mandatory requirement of the code.
- (18) The term “student” shall include all persons registered for courses, seminars, and workshops at the university, either full-time or part-time, pursuing undergraduate, graduate, professional studies, or continuing education programs. Also included are those individuals accepted for admission or living in the residence halls, whether or not actually enrolled at the university.
- (19) The term “student conduct administrator” is the associate vice president for student experience, or designee, who shall be responsible for the administration of the code and the university student conduct process.
- (20) The term “student conduct board” is a group of university students, staff, and faculty selected and trained to adjudicate hearings wherein students have allegedly violated university policy. Each hearing has a hearing panel consisting of three members from the student conduct board.

- (21) The term “student conduct body” shall mean student conduct officer, any deputy conduct officer, or any hearing panel of the student conduct board authorized by the student conduct administrator to determine whether a student has violated “The Student Code of Conduct” and to recommend imposition of sanctions.
- (22) The term “student conduct officer” is the associate director of student conduct who is the university official assigned to serve as the primary charging administrator by the student conduct administrator to review complaints, determine responsibility, and impose sanctions upon students found to have violated “The Student Code of Conduct.”
- (23) The term “student conduct board” is a group of campus students, staff and faculty selected and trained to adjudicate hearings wherein students are alleged to have violated university policy.
- (24) The terms “university” or “institution” mean Youngstown state university and collectively those responsible for its operation.
- (25) The term “university premises” shall be defined as all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the university including adjacent streets, sidewalks, and parking lots.
- (26) The term “university official” shall mean any person employed by, appointed to, authorized to act on behalf of or performing administrative or professional work for the university.
- (27) The term “university working day” refers to any day of the week excluding Saturdays, Sundays, or official holidays.
- (28) The term “weapon” shall have the same meaning as in rule 3356-7-03 of the Administrative Code, “Possession of weapons on campus.” (See also university policy 3356-7-03, “Possession of weapons on campus.”)
- (29) All other terms have their natural meaning unless the context otherwise dictates.

Explanation of Modifications to *University Policy*:

3356-10-09 Adjunct faculty.

This policy was reviewed and changes were made. A review of adjunct faculty member's credentials is explained, and language regarding the term of appointment was modified. Other minor revisions were made for the sake of clarity, and a new review date was added.

**RESOLUTION TO MODIFY
ADJUNCT FACULTY, 3356-10-09**

WHEREAS, University Policies are being reviewed and reconceptualized on an ongoing basis; and

WHEREAS, this process can result in the modification of existing policies, the creation of new policies, or the deletion of policies no longer needed; and

WHEREAS, action is required by the Board of Trustees prior to replacing and/or implementing modified or newly created policies, or to rescind existing policies;

WHEREAS, the Adjunct Faculty policy has been reviewed pursuant to the five-year review cycle, and formatted in accordance with Policy 3356-1-09, Development and Issuance of University Policies.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby approve the modification of University Policy governing Adjunct Faculty, policy number 3356-10-09, shown as Exhibit ___ attached hereto.

3356-10-09 Adjunct faculty.

Responsible Division/Office: Academic Affairs
Responsible Officer: Provost and Vice President for Academic Affairs
Revision History: June 1999; March 2007; December 2011;
September 2017
Board Committee: Academic and Student Success
Effective Date: September 7, 2017
Next Review: 2022

Deleted: Previous Policy Number: .1009.01

Deleted: Quality

Deleted: December 14, 2011

Deleted: 16

(A) Policy statement. The university encourages the affiliation of non-university individuals engaged in appropriate professional activity as an adjunct faculty.

(B) Definition. Adjunct faculty are professionals employed by cooperating organizations or agencies who provide onsite assistance for the various university programs that require students to gain experience in clinical research or field settings.

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(C) Parameters.

(1) Designation as adjunct faculty includes no regular teaching assignments in the university, nor compensation by the university.

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(2) The chair of the department in which the appointment is requested, or designee, in cooperation with the dean of the college, are responsible for the review of credentials and the nomination of adjunct faculty to the provost. Offers of appointment as adjunct faculty are the responsibility of the provost/vice-president for academic affairs. While appointment is normally for a term of one year, the provost/vice president for academic affairs may extend an appointment to three years when appropriate justification is provided.

Deleted: Typically, adjunct faculty are appointed annually by the provost/vice president for academic affairs. Under certain circumstances.

(3) Suitable recognition may be given adjunct faculty and the agency in which they are employed.

(4) Adjunct faculty will have access to university facilities and services as defined by the appropriate dean. Usual and customary

charges for the use of university facilities and services may apply and if so are the responsibility of the adjunct faculty member.

3356-10-09 Adjunct faculty.

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Responsible Officer: Provost and Vice President for Academic Affairs
Revision History: June 1999; March 2007; December 2011;
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Board Committee: Academic and Student Success
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- (B) Definition. Adjunct faculty are professionals employed by cooperating organizations or agencies who provide onsite assistance for the various university programs that require students to gain experience in clinical research or field settings.
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- (1) Designation as adjunct faculty includes no regular teaching assignments in the university nor compensation by the university.
 - (2) The chair of the department in which the appointment is requested, or designee, in cooperation with the dean of the college, are responsible for the review of credentials and the nomination of adjunct faculty to the provost. Offers of appointment as adjunct faculty are the responsibility of the provost/vice-president for academic affairs. While appointment is normally for a term of one year, the provost/vice president for academic affairs may extend an appointment to three years when appropriate justification is provided.
 - (3) Suitable recognition may be given adjunct faculty and the agency in which they are employed.
 - (4) Adjunct faculty will have access to university facilities and services as defined by the appropriate dean. Usual and customary

charges for the use of university facilities and services may apply and if so are the responsibility of the adjunct faculty member.



**RESOLUTION TO AUTHORIZE
CONFERRAL OF HONORARY DEGREE**

BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby authorize the conferral of a Doctor of Humane Letters (L.H.D.) degree, honoris causa, upon Pamela Browner White, with all the rights and privileges attendant thereto.

**Board of Trustees Meeting
September 7, 2017
YR 2018-**

Pamela Browner White Biography

Since graduating from Youngstown State University with a BA in Communication, Pamela Browner White has had a distinguished career, with over 25 years of experience in communications, community relations, public affairs, and strategic development. Currently, she is Senior Vice President of Communications with the American Board of Internal Medicine, where she oversees all communications operations and activities for ABIM and the ABIM Foundation, working to expand and enhance outreach to physicians and external stakeholders, increase organizational transparency and effectively communicate the importance of board certification and medical professionalism. Previously, she was Senior Vice President of Corporate Communications and Strategic Development at Esperanza, Inc., the largest Hispanic faith-based nonprofit organization in the United States. She has also served as Vice President of Public Affairs for Cancer Treatment Centers of America—where she worked with various audiences, including physicians, patients, and industry and media leaders on important health care issues—and has held senior leadership roles with high-profile organizations such as Citizens Bank of Pennsylvania and the Philadelphia Eagles.

In addition to her exceptional work across diverse industries and corporations in the field of communications, Pamela has a long history of community service. She is Chair Emeritus of the Board of Directors for the Marian Anderson Award and former Chair of the Philadelphia Youth Council and Philadelphia Workforce Investment Board. She has served on Widener University's Board of Trustees, on the Board of Directors for the Greater Philadelphia Urban Affairs Coalition, and is a member of the National Association of Minority Media Executives. She collaborated with the Governor of Pennsylvania to create a one-of-a-kind venture that provided \$100 million in low-interest loan incentives for businesses expanding or relocating to the state.

Pamela's career accomplishments have earned her a number of prestigious awards, including: Pennsylvania Top 50 Women in Business, Girls Scouts of America 2011 Take the Lead Award, NAACP President's Award Beverly Hills, Philadelphia Business Journal Woman of Distinction, Thurgood Marshall 2009 Award of Excellence, The Salvation Army 2009 Eliza Shirley Women in Leadership Award, and the Girls Inc. of Greater Philadelphia Strong, Smart and Bold Award.

Pamela Browner White is a highly accomplished, award-winning senior executive with almost three decades of progressive leadership in corporate public affairs and communications. In addition to her extensive corporate background, she has served her communities in arts and culture, economic and workforce development, and public/private partnerships results.

Explanation to Rescind *University Policies*:

**3356-5-05 Agreements, Educational Partnerships, and Related Arrangements *and*
3356-10-21 Establishing, Altering, or Abolishing Educational, Research, and Public Service
Centers, Institutes, and Laboratories**

These policies are being rescinded to remove both policy titles and policy numbers. Language within these policies will be combined to create a new policy, 3356-10-22, Partnerships, Centers, and related arrangements.

Explanation of New *University Policy*:

3356-10-22 Partnerships, Centers, and related arrangements.

This policy is the compilation of the above two policies being rescinded. It was preferred to write one new policy, rather than making extensive edits to either 3356-5-05 or 3356-10-21.

**RESOLUTION TO RESCIND POLICIES 3356-6-05, AGREEMENTS,
EDUCATIONAL PARTNERSHIPS, AND RELATED ARRANGEMENTS;
3356-10-21, ESTABLISHING, ALTERING, OR ABOLISHING
EDUCATIONAL, RESEARCH, AND PUBLIC SERVICE CENTERS,
INSTITUTES, AND LABORATORIES, AND APPROVE
POLICY 3356-10-22, PARTNERSHIPS, CENTERS, AND RELATED
ARRANGEMENTS**

WHEREAS, University Policies are being reviewed and reconceptualized on an ongoing basis; and

WHEREAS, this process can result in the modification of existing policies, the creation of new policies, or the deletion of policies no longer needed; and

WHEREAS, action is required by the Board of Trustees prior to replacing and/or implementing modified or newly created policies, or to rescind existing policies;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby rescind the University Policies governing Agreements, Educational Partnerships, and Related Arrangements, policy number 3356-5-05; Establishing, Altering, or Abolishing Educational, Research, and Public Service Centers, Institutes, and Laboratories, policy number 3356-10-21; and does hereby approve the creation of University Policy governing Partnerships, Centers, and Related Arrangements, policy number 3356-10-22, effective September 7, 2017, and shown as Exhibit __ attached hereto.

To be Rescinded

3356-5-05 Agreements, educational partnerships, and related arrangements.

Previous Policy Number: 5005.01
Responsible Division/Office: Academic Affairs
Responsible Officer: Provost and VP for Academic Affairs
Revision History: March 1997; March 2007; June 2011
Board Committee: Academic and Student Success
Effective Date: June 17, 2011
Next Review: 2015

- (A) Policy statement. The president is authorized and encouraged to pursue, develop, and expand partnerships, cooperative programs, contractual arrangements, and similar relationships that support and promote the mission of the university.
- (B) Purpose. In striving to fulfill its teaching/learning, research/scholarship, and public service goals, the university actively becomes involved in the establishment of mutually beneficial partnerships or similar arrangements with a broad range of public and private entities.
- (C) Procedures.
- (1) The chairperson of a department, council, committee, or task force, or an individual member of the university community, may – through the appropriate dean or executive director – submit to the provost/vice president for academic affairs or to an executive officer, or designee appointed by the president, proposals to establish partnerships or related arrangements between the university and private or public entities.
- (2) Proposals will include:
- (a) Statement of need;
- (b) Description of partnership and manner in which the arrangement will meet the stated need;

- (c) Identification of personnel/departments to be involved;
 - (d) Delineation of responsibilities of the university and other involved parties;
 - (e) Estimation of needs for fiscal resources, space, and equipment;
 - (f) A description of how these needs will be met;
 - (g) A description of where administrative responsibility is housed and the lines of responsibility.
- (3) Proposals related to public service agreements will include:
- (a) State of need;
 - (b) Description of partnership and manner in which the arrangement will meet the stated need;
 - (c) Statement of the relationship between outside entity(s) and the university as outlined in the agreement;
 - (d) Needed facilities and equipment, if any, and their availability;
 - (e) Delineation of responsibilities of the university and other involved parties;
 - (f) Identification of costs and/or expenses associated with the agreement;
 - (g) A description of how these funding needs will be met;
 - (h) A description of where administrative responsibility is housed and the lines of responsibility;
 - (i) Delineation of impact of the agreement on the image of the university.
- (3) Proposals will be circulated to all entities or individuals that might

be involved for review and feedback prior to submission to the provost/vice president for academic affairs or executive officer or designee appointed by the president.

- (4) The provost/vice president for academic affairs or executive officer, or designee appointed by the president, will determine whether review of the statement of partnership by the office of the general counsel is required. When the proposal involves research and/or sponsored programs, the office of grants and sponsored programs must be contacted, and review by the associate provost for research and dean of graduate studies and research is required, including written recommendation/determination about whether the proposed agreement/partnership is allowable under grants policies.
- (5) Upon the completion of this consultative process, the provost/vice president for academic affairs or executive officer, or designee appointed by the president, may authorize implementation of the partnership.

To be Rescinded

3356-10-21 Establishing, altering, or abolishing educational, research, and public service centers, institutes, and laboratories.

Previous Policy Number: 1021.01
Responsible Division/Office: Graduate Studies and Research
Responsible Officer: Provost and VP for Academic Affairs
Revision History: September 2002; March 2007; March 2011
Board Committee: Academic and Student Affairs
Effective Date: March 18, 2011
Next Review: 2016

- (A) Policy statement. Educational, research, and public service centers, institutes, and laboratories may be established, altered, or abolished upon recommendation by the president and approval by the board of trustees.
- (B) Purpose. Youngstown state university establishes centers, institutes, or laboratories (“CIL”) to strengthen and enrich the educational (teaching and learning), research (and scholarship), and public service activities of faculty and students. Centers, institutes, and laboratories will provide undergraduate and graduate students expanded facilities and opportunities for involvement in research, educational, and service programs in their discipline.
- (C) Definition. Resources used to establish a center/institute/laboratory budget may come from the general fund, endowment, or external grants or sponsored programs. The designation as a university center/institute/laboratory does not refer to informal collaborations formed for short-term purposes (primarily grant-seeking).
- (D) Procedures.
- (1) Proposals to establish CIL will be forwarded to the president through the provost/vice president for academic affairs after review by the appropriate academic dean(s) or executive director.
 - (2) Proposals will include:
 - (a) Statement of need and purpose.

- (b) Description of the CIL and manner in which the arrangement will meet the stated need.
 - (c) Identification of personnel/departments to be involved.
 - (d) Delineation of responsibilities of the university and other involved parties.
 - (e) Estimation of needs for fiscal resources, space, and equipment.
 - (f) Description of how these needs will be met.
 - (g) Work plan and budget for three years, including the sources of fiscal commitments.
 - (h) Description of where administrative responsibility is housed and the lines of responsibility. Where multiple resources are utilized in the establishment of a center or institute, the administrative unit contributing the largest fiscal resource will normally be designated as the responsible unit.
- (3) Proposals will be circulated to all entities or individuals that might be involved for review and feedback prior to submission to the president. All approvals to commit resources will be in writing and appended to the proposal during this process.
- (4) The provost/vice president for academic affairs will determine whether review by the office of the general counsel is required. When there are issues of ownership of intellectual property arising from the research or service mission of the CIL, the general counsel will review the CIL proposal.
- (5) When the CIL involves research and/or sponsored programs, the director of grants and sponsored programs and the associate provost for research and dean of the school of graduate studies and research must also review the proposal.

- (6) Upon completion of this consultative process, the president will submit the proposal with his/her recommendation to the board of trustees for authorization of the implementation of the proposed center, institute, or laboratory. Upon such authorization, the president will establish a budget sufficient to fund the CIL and identify the lines of responsibility.
- (7) Centers, institutes, and laboratories will be evaluated on a periodic basis. Newly established CIL will be evaluated within three years of their creation.
- (8) Further information is available in "Guidelines and Procedures for the Creation and Evaluation of Centers, Institutes, and Laboratories," available in the school of graduate studies and research.

NEW

3356-10-22 Partnerships, Centers, and related arrangements.

Responsible Division/Office: Academic Affairs
Responsible Officer: Provost and Vice President for Academic Affairs
Revision History: September 2017
Board Committee: Academic and Student Affairs
Effective Date: September 7, 2017
Next Review: 2022

- (A) Policy statement. The president is authorized and encouraged to pursue, develop, and expand partnerships, cooperative programs, contractual arrangements, and similar relationships that support and promote the mission of the university, and subject to approval by the board of trustees, establish, alter, or abolish centers, institutes, or laboratories that advance those goals.
- (B) Purpose. In striving to fulfill its teaching/learning, research/scholarship, and community service goals, the university actively becomes involved in the establishment of mutually beneficial partnerships or similar arrangements with a broad range of public and private entities, and may establish centers, institutes, or laboratories (referred to as CIL/CILs) to strengthen and enrich the educational (teaching and learning), research (and scholarship), and public service activities of faculty and students.
- (C) Procedures.
- (1) The chairperson of a department, council, committee, or task force, or an individual member of the university community, may submit to the provost/vice president for academic affairs, after review by the appropriate academic dean(s) or executive director, proposals to establish partnerships, CILs, or related arrangements between the university and private or public entities.
- (2) Proposals will include:
- (a) Statement of need and purpose;
- (b) Description of partnership or CIL and manner in which the arrangement will meet the stated need;

- (c) Statement of the relationship between outside entity[s] and the university as outlined in the agreement;
 - (d) Identification of personnel/departments to be involved;
 - (e) Delineation of responsibilities of the university and other involved parties;
 - (f) Estimation of needs for fiscal resources, space, and equipment;
 - (g) A description of how these needs will be met;
 - (h) Work plan and budget for three years, including the sources of fiscal commitments.
 - (i) A description of where administrative responsibility is housed and the lines of responsibility.
- (3) Proposals will be circulated to all entities or individuals that might be involved for review and feedback prior to submission to the provost/vice president for academic affairs. All approvals to commit resources will be in writing and appended to the proposal during this process.
- (4) The provost/vice president for academic affairs will determine whether review of the statement of partnership by the office of the general counsel is required.
- (a) When the proposal involves research and/or sponsored programs, the office of research services must be contacted, and review by the associate vice president for research is required, including written recommendation/determination about whether the proposed agreement/partnership is allowable under grants policies.
 - (b) When the proposal involves international collaboration, the international programs office must be contacted, and review by the associate provost for international and global initiatives is required, including written statement

indicating potential issues or concerns regarding immigration or other international affairs issues.

- (c) When the proposal involves graduate programs, the graduate college must be contacted, and review by the dean of the graduate college is required.
 - (d) When there are issues of ownership of intellectual property arising from the research or service mission of a proposed CIL, the general counsel will review the proposal.
- (5) Upon the completion of this consultative process, the provost/vice president for academic affairs may authorize implementation of the partnership or program, or establishment of the center.
- (6) All relationships and CILs established under this policy will be evaluated no less frequently than every five years, with newly established relationships evaluated within three years of their creation.

**RESOLUTION TO APPROVE REORGANIZATION TO CREATE
THE OFFICE OF COLLEGE ACCESS AND TRANSITION**

WHEREAS, to improve the college success of under-resourced and under-prepared and thus at-risk students, a plan has been created to reorganize areas within the Division of Academic Affairs to create the Office of College Access and Transitions; and

WHEREAS, to promote college access for under-served high school students, staff members from Metro Credit, Associate Degree and Tech Prep, Academic Achievers, and Upward Bound will join forces under this new office to ensure the development and expansion of best-practice programming and direct student support; and

WHEREAS, to promote the successful academic, personal, and social transition of at-risk freshmen to YSU, the Summer Bridge and Jump Start programs, mentoring, and Learning Communities, will be organized in order to better coordinate and leverage student transition strategies and programs, and

WHEREAS, the Office of College Access and Transitions will be directed by Karla M. Krodell, and will report to the Associate Provost of Student Success; and

WHEREAS, all staff involved have attended two working sessions to allow for the understanding and collaboration of this proposed office structure.

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of Youngstown State University approves the reorganization in Academic Affairs to create the Office of College Access and Transition under the Division of Student Success.

Youngstown

STATE UNIVERSITY

TO: Martin Abraham, Claire Berardini
FROM: Karla Krodel
DATE: August 24, 2017
RE: Recommendation for reorganization of access and transition programming

There is a critical need to address the disparity in graduation rates for students who are admitted to YSU with conditions and those who are not. These are students who have promise but whose academic record (a high school GPA below 2.0 or an ACT composite below 17) indicates the need for a highly supportive environment, especially in the first year of college. Since the majority of these students are under-represented students, YSU also has the opportunity to improve the graduation rates of African American and other minority students. The reorganization will build synergies by uniting and focusing the talent, energy, and resources of the many worthy programs that seek to serve academically and economically under-resourced students, increasing college success and diminishing social and economic barriers and inequalities.

After discussions with Tod Hall Leaders, the Provost held an initial meeting to discuss the proposal with administrators and staff from Academic Affairs (Metro Credit Education Outreach and Associate Degrees and Tech Prep), Student Success (the Center for Student Progress, Upward Bound and Academic Achievers), and Student Experience (Student Diversity Programs). Additional input was gathered during subsequent 1:1 meetings with the Provost. In July, a facilitated transition meeting inclusive of the new Associate Provost for Student Success and all staff from the affected areas provided further information. Taking into account input from all these meetings, the following reorganization is recommended to take effect January 1, 2018:

- 1) Change the name of the Metro Credit Education Outreach office to the Office of College Access and Transition (OCAT) to reflect a widened scope of services. OCAT will provide the administrative structure and operational support to programs that address the retention and graduation of the target population. (Karla Krodel remains the director with Joyce O'Connell as part-time administrative assistant.)
 - a. OCAT will coordinate the outreach education programs targeting high school populations, inclusive of College Credit Plus, Upward Bound, Academic Achievers, and Tech Prep.

- b. OCAT will coordinate college transition programs for matriculated students inclusive of the Summer Bridge, Jump Start, mentoring, and the Career Pathways Learning Community.
 - c. Within OCAT, the Advanced Job Training program will continue serving students within the Ohio Department of Rehabilitation and Correction.
- 2) Move OCAT into the Division for Student Success, reporting to the Associate Provost for Student Success.
 - 3) Between October 1 and December 31, 2017, Human Resources will facilitate the review of affected positions, including job descriptions, salaries, and bargaining unit status. Full and part-time administrative assistants will be eligible for increased hours and/or overtime as needed to support the reorganization. The reorganization is effective January 1, 2018.

c: Edward J. Villone, Connie Frisby

**Office of College Access and Transitions
Retention and Completion Goals**

Goal: Increase the 6-year graduation rate of students conditionally admitted to YSU to 30%

YSU Freshman Cohort	Students conditionally admitted		Conditionally admitted students graduating in six years	
	N	% of Freshman cohort	N	%
2010	289	10%	9	3.1%
2011	233	8.6%	4	1.7%
2012	355	16%		
2013	464	22%		
2014	269	15.1%		
2015	304	15.1%		

Primary strategy. Increase the first-to-second year retention rate of all conditionally-enrolled students (HS GPA below 2.0 or ACT below 17) at YSU to 68%.

First-to-second year retention rate of conditionally admitted freshmen compared to overall first-to-second year retention rate			
	N	Conditionally admitted retention rate	Overall YSU retention rate
2013	464	45.7%	67.9%
2014	269	54.6%	73.8%
2015	304	49.3%	73.4%

Because approximately 45% of first-time undergraduate African American/Black students are admitted conditionally, this strategy will have a significant impact on their success.

YSU first-time undergraduates by race and conditional admit status				
YSU Freshman Cohort	White		African American/Black	
	All Admits	Conditional admits	All Admits	Conditional admits
2013	1495	225 (15.1%)	328	185 (56.4%)
2014	1360	147 (10.8%)	192	91 (46.9%)
2015	1454	137 (9.4%)	231	107 (46.3%)

YSU conditionally admitted freshmen by race					
YSU Freshman Cohort	Students conditionally admitted	White		African American/Black	
		N	%	N	%
2013	464	225	48.5%	185	39.9%
2014	269	147	54.6%	91	33.8%
2015	304	137	45.1%	107	35.2%

First-to-second year retention rates of conditionally admitted freshmen by race		
YSU Freshman Cohort	First-to-second year retention – white students	First-to-second year retention - African American/Black
2013	58.2%	30.8%
2014	61.2%	46.2%
2015	55.5%	40.2%

YSU 6-year graduation rates

YSU 6-year graduation rate by race				
YSU First Time Undergrad	YSU White students		YSU African American/Black students	
	Number Enrolled	6-yr grad rate	Number Enrolled	6-yr grad rate
2009	1587	36.6%	420	8.3%
2010	1,616	38.6%	513	9.4%

6-year graduation rates of YSU benchmark institutions		
YSU Benchmark Institutions	6-year graduation rate	
	White students	African American/ Black
Youngstown State University	36.6%	8.3%
Indiana University-Purdue University – Ft. Wayne	27%	9%
Cleveland State University	46%	16%
University of Akron	47%	16%
Jacksonville State University	37%	22%
Northeastern State University	29%	22%
Columbus State University	34%	25%
Lamar University	36%	25%
University of Central Oklahoma	41%	28%
Southeastern Louisiana University	40%	29%
Austin Peay State University	38%	30%
Northwestern State University	39%	34%
Armstrong State University	30%	35%
Middle Tennessee University	45%	40%
University of Memphis	36%	51%
Average of all institutions	37.4%	26%

Source: IPEDS 2009 cohort data

DISCUSSION DRAFT ONLY

(VERSION 072117)

Principles and Practice of Shared Governance[†] Youngtown State University

Prepared by the YSU Excellence Steering (YES) Committee: Martin Abraham (Co-Chair), Rayann Atway (Student), Chet Cooper (Co-Chair), Ramesh Dangol (Faculty), Rosalyn Donaldson (Staff), Adam Earnhardt (Faculty), Meghan Fortner (Part-time Faculty), Connie Frisby (Staff), Holly Jacobs (Administration), Neal McNally, (Administration), Maura Picciano (Staff), Ted Roberts (Board of Trustees), Carole Weimer (Board of Trustees), Mary Yacovone (Faculty)

Shared Governance is the transparent process by which the University community (i.e., faculty, staff, administrators, alumni, and students) influences decisions on matters of policy and procedure, and/or to present alternatives on such matters. Shared governance fosters mutually reinforcing relationships that expand cooperation and develop leadership while facilitating judicious, yet creative, university governance.

Shared Governance includes issues of values, culture, management, finance, and administration. The intent of this process is to balance efficiency and effectiveness with equity and fairness within the context of our operating frameworks, such as legislation or accreditation.

At the core of successful Shared Governance is open communication among the constituents of the University. Seeking input, listening to it, and considering it as part of a decision-making process strengthens confidence among the various components of the University to mutually benefit each other and the University.

Principles of Shared Governance

- Shared governance expects those who will be affected by a decision on policy or procedures will be informed and will influence governance decisions.
- Shared governance relies upon consistent, trustworthy communication that is multidirectional and reciprocal.
- All participants in the shared governance process are accountable for the proper execution of their roles in a timely manner.
- Shared governance permeates all levels of decision-making within the University community.
- Full and active participation at all levels of shared governance is encouraged.
- Recommendations made through shared governance processes will influence in university decision making.

Practice of Shared Governance

- A. The University shall have procedures and formal structures providing for appropriate collaboration and communication between and among administration, faculty, staff, and students. The structures and procedures shall be developed cooperatively,

[†] Adapted, in part, from "Principles and Practices of Shared Governance" from the University of Louisiana at Monroe (<http://www.ulm.edu/sharedgovernance/>)

DISCUSSION DRAFT ONLY

(VERSION 071117)

- disseminated widely prior to adoption, and reviewed periodically according to procedures and timelines established in the documents governing institutional practice.
- B. Recognizing the institution's main educational focus on its students, identification of subject matter appropriate for administration, alumni, faculty, staff, and student participation in the shared governance process shall recognize:
 - 1. The responsibility of administrators for forming and articulating a vision for the institution, providing strategic leadership, and managing human resources, finances, and operations;
 - 2. The central role of faculty, including part-time faculty, in teaching, scholarship, and service, including assessment of these activities through peer review;
 - 3. The essential support provided by staff in facilitating operations and in participating in the development of policies and procedures;
 - 4. The students' interests in matters pertaining to student life and the academic environment; and
 - 5. The role of each constituency in the selection of key institutional administrators.
 - C. Exigent circumstances may require institutional leaders to act promptly in the best interest of the institution without full benefit of shared governance. In such cases, representative bodies shall be informed and will comment on actions taken.
 - D. Shared governance requires a commitment of resources and time from the institution. The University shall support faculty, staff, and students in their responsibilities to shared governance.
 - E. The final responsibility for decision making, including solicitation of input through shared governance, rests with the President and the Board of Trustees, who are ultimately held accountable by the public and its elected leaders.
 - F. Collective bargaining is an avenue of input separate and distinct from Shared Governance.

Urban Research University Transition

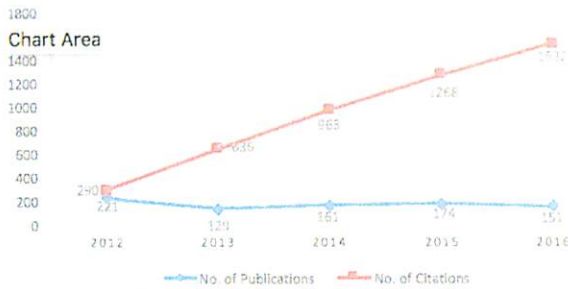
Youngstown State University contributes to the development and application of knowledge for the betterment of students and, thus, the communities in which they live and work. The University strives to improve the quality of life in the region and is the primary link to the global community.

Youngstown State University, as a member of the global community of scholars, contributes to the development and application of knowledge for the betterment of humankind. The University strives to improve the quality of life and strengthen the economy of the region and forms the major regional conduit to the global community. As is fitting for an urban research university, YSU faculty and students participate in basic and applied scholarship that enriches teaching and learning and engages with local and global communities. Scholarship at YSU may be directed toward identifying and addressing the social, cultural, and economic needs of nearby urban neighborhoods and the city of Youngstown, but because not all nearby communities are urban, research at YSU is not confined to urban issues. ~ YSU Strategic Plan 2020

Innovation and Discovery

Scholarly Indexed Publications – Web of Science

Youngstown State University
Number of Publications and Citations

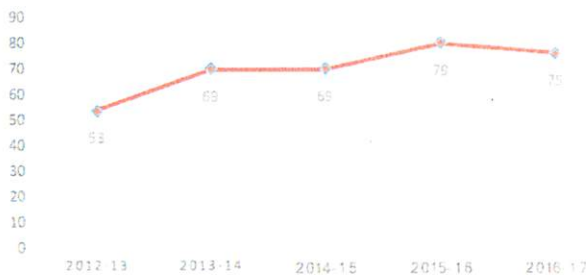


	Threshold	Target
Publications	167	401
Citations	938	3,010

Target = Mean of Select Urban Research Institutions

Threshold = Five-year average

Theses and Dissertations Completed

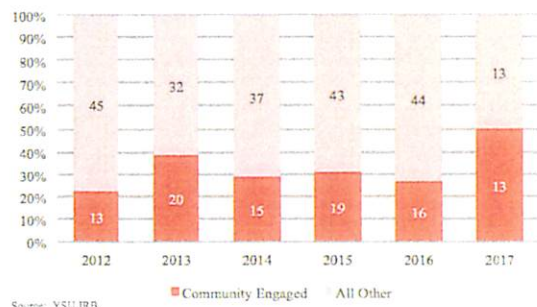


	Threshold	Target
Theses and Dissertations	69	73

Target = 5% increase above five-year average

Threshold = Five-year average

IRB Research Distributions

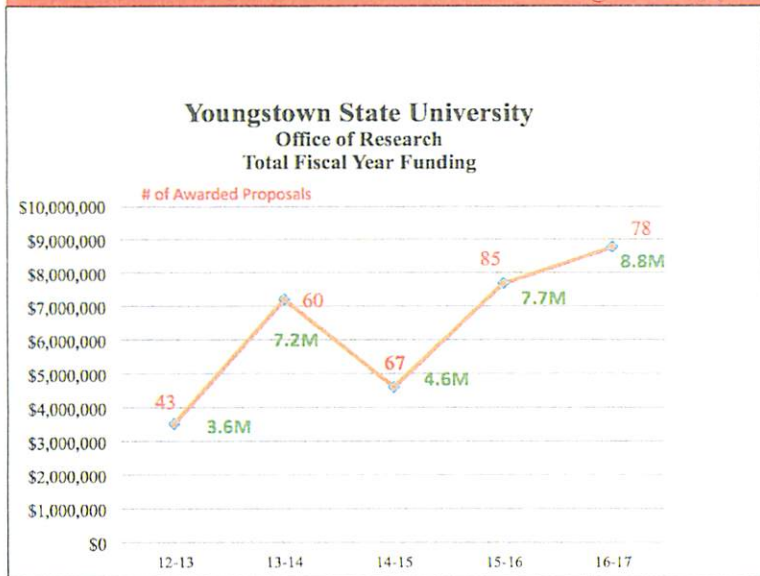


	Threshold	Target
Community Engaged Research	35%	50%

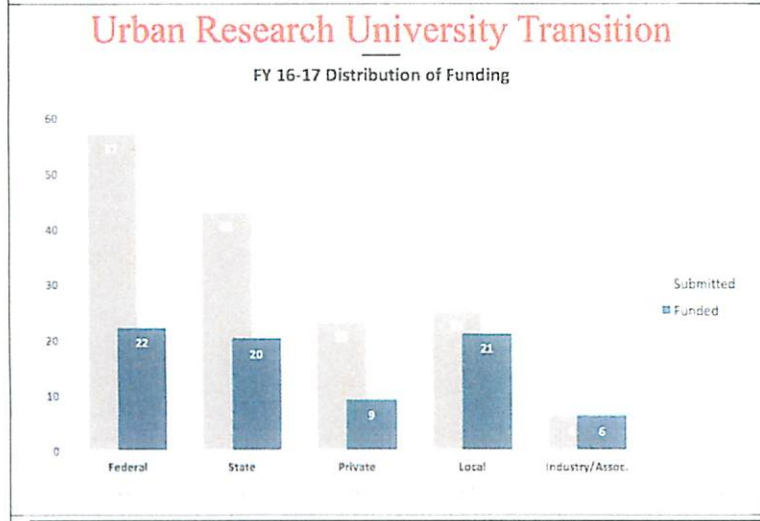
Target = Established to ensure significant community engagement

Threshold = Five-year average

Funding to Support Research



	Threshold	Target
Fiscal Year Funding	\$6,372,595	\$7,647,114
# of Funded Proposals	67	80
Target = 20% increase above five-year average Threshold = Five-year average		



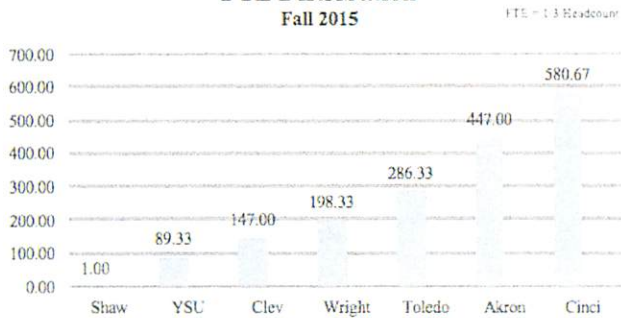
	Threshold	Target
Federal	29%	40%
Local	22%	25%
Target = Established to meet Office of Research Goals Threshold = Five-year average		

Endowed Chairpersons and Faculty

Chair	Faculty	Total	# Filled	% Filled
BCOE			0	N/A
BCHHS			0	N/A
CACC			0	N/A
CLASS	Clayman Professorship in Judaic & Holocaust Position in Center for Islamic Studies		2	2 100%
STEM	M & P Friedman Chair, Electrical Engineering		1	1 100%
WCBA	Andrews Chair in Accounting Lariccia Family Chair in Accounting and Finance		2	0 0%
Overall			5	3 60%

Quality Academic Programs

Ohio Urban Research Institution Graduate Assistants FTE Distribution Fall 2015



Source: HEI AM Query

Threshold

Target

Graduate
Assistant FTE

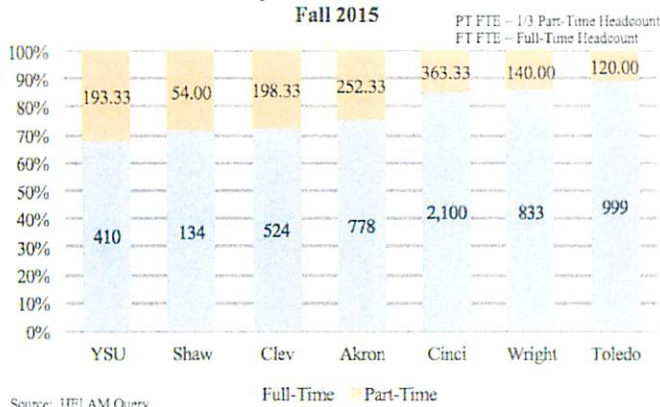
88.7

172.7

Target = Mean of Select Urban Research Institutions

Threshold = Five-year average

Ohio Urban Research Institution Faculty FTE Distribution Fall 2015



Source: HEI AM Query

Full-Time Part-Time

Threshold

Target

FT/PT Faculty
Ratio

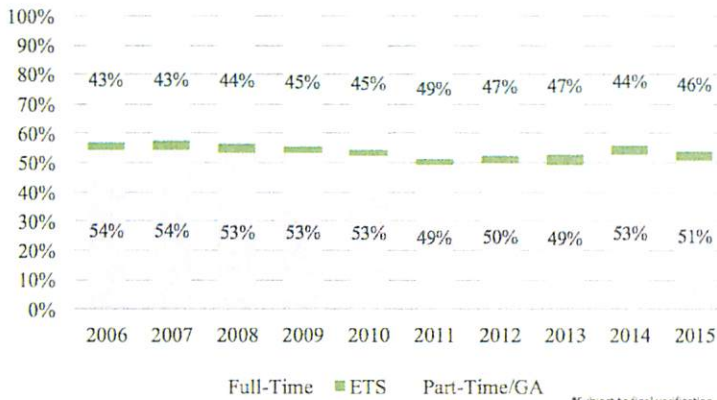
2.1

3.7

Target = Mean of Select Urban Research Institutions

Threshold = Five-year average

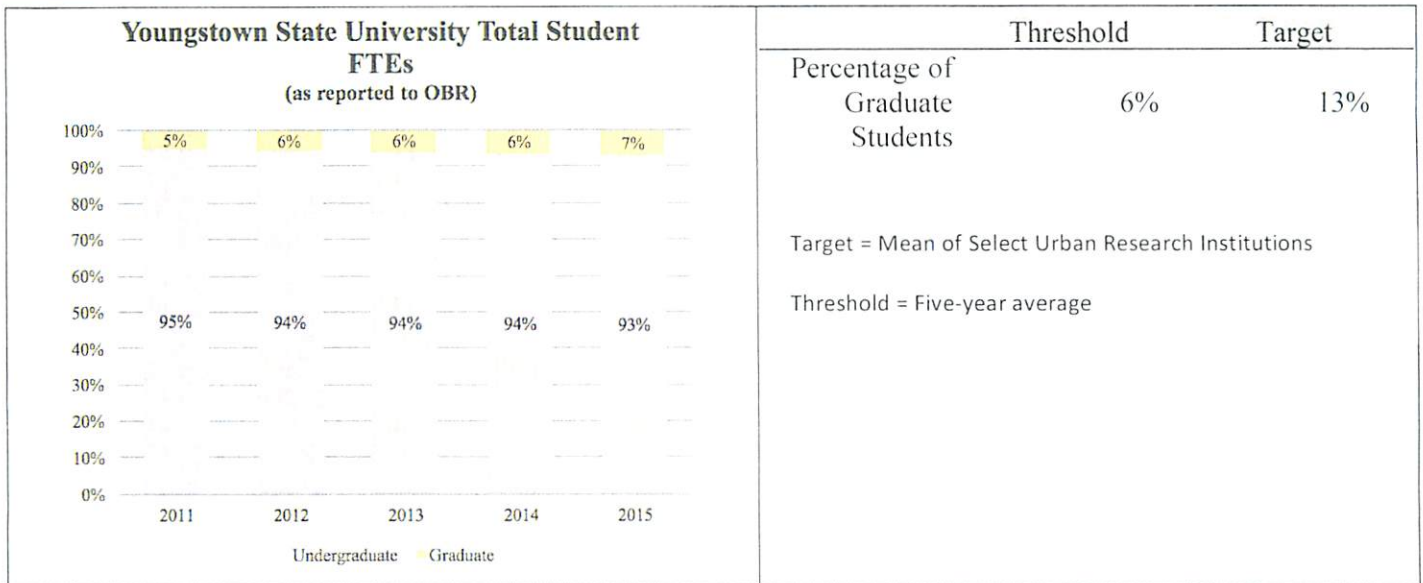
Youngstown State University Total Fall Faculty FTE*



*Subject to final verification

Full-Time ETS Part-Time/GA

Quality Academic Programs



Graduate Program Review: 2015-2016 Annual Report Summary

Program	Program Quality				Assess. Prog. Outcomes	Need/Demand Program need	Program Resources	
	Faculty	Graduate Satisfaction and Achievement	Prog. Dynamics	Program Collaboration			Essential Resources	Diversity
Master of Computing and Information Systems	Clearly Met	Clearly Met	Clearly Met	Clearly Met	Clearly Met	Clearly Met	Clearly Met	
Master of Science in Environmental Science/Studies	Clearly Met	In Progress	Clearly Met	Clearly Met	Clearly Met	Clearly Met	Clearly Met	
Master of Science in Civil & Environmental Engineering	Clearly Met	Clearly Met	Clearly Met	Clearly Met	Clearly Met	Clearly Met	Clearly Met	
Master of Public Health	Clearly Met	Clearly Met	Clearly Met	Clearly Met	Clearly Met	Clearly Met	Clearly Met	

Urban Research Cornerstone Committee

Chet Cooper
 Michael Hripko
 Cathy B Parrott
 Rachael Pohle-Krauza
 *Sal Sanders
 *Andrew Shepard-Smith
 Daniel J. Van Dussen

*Co-Chairperson

MEMORANDUM

Date: July 19, 2017

To: Martin Abraham, Ph.D., Provost and Vice President for Academic Affairs

From: Andrew Shepard-Smith - Office of Research Services (ORS)

Re: FY16-17 Fourth Quarter Report

Please see attached FY 16-17 Fourth Quarter Report as prepared for delivery to the Academic and Student Affairs Committee of the Board of Trustees.

ORS staff managed a total of **50** activities during this quarter (**37** submissions and **13** awards/contracts). In this quarter, IRB processed **45** protocols and IACUC processed **1** protocol. In addition, ORS managed both the second highest quantity of submissions and highest quantity of awards in recent history.

ORS remains actively engaged supporting the growth of YSU's research enterprise. To this end, ORS engaged in the following activities this quarter:

- Provided numerous personalized training opportunities to assist faculty and staff in finding grant opportunities, and is working collaboratively with the College of Liberal Arts and Social Sciences on opportunities to support the *digital humanities*.
- Engaged in significant professional development opportunities on the topics of self-contained compliance, financial transparency, procurement fraud, and data metrics.
- Supported a second advanced manufacturing grant;
- Acquired and initiated the infrastructure for *Mōderas*, an electronic research administration (eRA) tool for campus-wide proposal management;
- Expanded CITI Training by offering four new training courses:
 - 1) Disaster and Conflict Research Education;
 - 2) Best Practices and Recommendations in Disaster and Conflict Research;
 - 3) Good Laboratory Practice (GLP); and
 - 4) Healthcare Ethics Committee (HEC) Training.

Accompanying this submission is a FY 16-17 Fiscal Year Report which provides a greater level of detail regarding institutional metrics.

If there are any questions, please let me know.



EXECUTIVE SUMMARY
 Fourth Quarter Report – FY2016-17
 April 1, 2017 to June 30, 2017

Submitted Proposals to External Agencies: **Total**

Q4 Total Dollars Requested:	\$8,550,740
Q4 Indirect Cost Requested:	\$289,850
Q4 Total Projects Submitted:	37

Funded Proposals from External Agencies: **Total**

Q4 Total Dollars Received:	\$3,732,431
Q4 Indirect Costs Awarded:	\$402,080
Q4 Total Projects Awarded:	13

Research Integrity Activities **Total**

Q4 Institutional Review Board (IRB) Protocols:	45
Q4 Institutional Animal Care and Use Committee (IACUC) Protocols:	1

Year-to-Date Snapshot **Total**

YTD Funding Requested:	\$33,762,172
YTD External Funding Received:	\$9,131,512
YTD Projects Submitted:	155
YTD Projects Awarded:	<u>79</u>
YTD Submissions and Awards Administered:	234
YTD IRB Protocols:	207
YTD IACUC Protocols:	<u>5</u>
YTD Integrity Activities:	211
YTD Average Request:	\$217,820
YTD Average Award:	\$115,589

Proposals Submitted to External Agencies

Fourth Quarter Report – FY2016-17

April 1, 2017 to June 30, 2017

PI/PD	Dept.	Agency	Title	Amount Requested	Indirect Costs	YSU Cost Share
Aspiranti, K.	CSpEd & Special Psychology	Robert Wood Johnson Fdn.	Developing an Autism Friendly Community	\$1,000,000	\$ -	\$ -
Aspiranti, K.	CSpEd & Special Psychology	Home Savings Bank	Development of a Financial Literacy Program for those with Autism	\$73,000	\$15,229	\$ -
Caramussa, C.	Physical Therapy	Ohio Injury Prevention Partnership	Project VIBE-Valley Initiative to promote Balance among the Elderly	\$4,026	\$ -	\$ -
Parrott, C	Physical Therapy	Ohio Bureau of Workers Comp	Effective Screening and Health Coaching for Emergency Response Workers	\$250,000	\$26,587	\$ -
Bralich, J	REDI	City of Youngstown	City of Youngstown Project Data and Mapping FY 2017-2018	\$25,000	\$ -	\$ -
Bralich, J	REDI	Warren Area Board Realtors	Managing Project Hope	\$7,500	\$ -	\$ -
Byers, J.	Campus Recreation	Campus Consortium	Mobile Application	\$60,000	\$ -	\$ -
Cameron, A.	Ctr. For Human Svcs. Dvt.	Ohio Dept of Education	21st Century Community Learning Center Grant: Brookfield	\$200,000	\$10,000	\$ -
Cameron, A.	Ctr. For Human Svcs. Dvt.	Ohio Dept of Education	21st Century Community Learning Center Grant: Liberty - EJ Blott	\$200,000	\$10,000	\$ -
Cameron, A.	Ctr. For Human Svcs. Dvt.	Ohio Dept of Education	21st Century Community Learning Center Grant: Girard - Jr/Sr High	\$200,000	\$10,000	\$ -
Cameron, A.	Ctr. For Human Svcs. Dvt.	Ohio Dept of Education	21st Century Community Learning Center Grant: Campbell	\$200,000	\$10,000	\$ -
Cameron, A.	Ctr. For Human Svcs. Dvt.	Ohio Dept of Education	21st Century Community Learning Center Grant: Girard - GIS/Prospect	\$200,000	\$10,000	\$ -
Cameron, A.	Ctr. For Human Svcs. Dvt.	Ohio Dept of Education	21st Century Community Learning Center Grant: East Liverpool	\$200,000	\$10,000	\$ -
Cameron, A.	Ctr. For Human Svcs. Dvt.	Ohio Dept of Education	21st Century Community Learning Center Grant: East Liverpool	\$200,000	\$10,000	\$ -

	Svcs. Dvt.	Education	Grant: Liberty - WS Guy			
PI/PD	Dept.	Agency	Title	Amount Requested	Indirect Costs	YSU Cost Share
DeBlasio, D	History	Y'town Area Jewish Fed.	GAI for Youngstown Area Jewish Foundation Archives Project	\$8,000	\$ -	\$375
DeBlasio, D	History	Friends of the YHCIL	Youngstown History Center of Industry and Labor Blueprint Project	\$2,500	\$ -	\$ -
DeBlasio, D	History	Flor Navarro Foundation	Cars and Car Dealerships	\$2,000	\$ -	\$ -
DiPillo, M.	Associate Dean BCOE	Youngstown City Schools	Enhancing Literacy Skills Project PASS	\$56,000	\$225	\$ -
Gardner, A	International Programs Office	Thomases Endowment	YSU Faculty-Led Study Abroad to Israel	\$12,000	\$ -	\$12,000
Garr, J.M.	Civil & Environmental Engineering	Arconic Foundation	Youngstown Marble (pre-proposal)	\$600,000	\$ -	\$ -
Hughes, T.	Sociology Anthropology Gerontology Dept	National Inst of Health	Risk Factors for MCI and Dementia in a Diverse Senior Cohort	\$27,901	\$7,994	\$ -
MacDonald, E.	Electrical & Computer Engin	American Iron and Steel Inst	Internet of Things for 3D Printed Sand Molds	\$600,000	\$75,668	\$87,565
Maher, T.	MetroCollege	Ohio Dept. of Rehab and Corr	TechAide: Rehabilitation and Corrections	\$92,620	\$ -	\$ -
Maher, T.	MetroCollege	Ohio Dept. of Rehab and Corr	Distance Education Tuition: Rehabilitation and Corrections	\$372,517	\$ -	\$ -
Maher, T.	MetroCollege	Ohio Dept of Higher Ed	AJT iPad program	\$31,600	\$ -	\$ -
Marchionda, D.	REDI	Comm Fdn of the MahValley	Matching funds for NEA OURTOWN 2016 #16-4292-7091	\$7,500	\$530	\$ -
Martin, D.	Special Education	Youngstown City Schools	YSU school counselors in training serving as GAIs	\$70,000	\$225	\$ -
Martin, H.	Chemical Engineering	Ohio Space Grant Consort	Faculty SEED	\$5,000	\$ -	\$5,000
Martin, H.	Chemical Engineering	Ohio Space Grant Consort	Undergraduate Support	\$5,000	\$ -	\$5,000

McCartney, R.	Regional Economic Development	Appalachian Regn'l Comm.	Excellence Training Center in Advanced Mfg Workforce Training and Ed. Ctr	\$1,000,000	\$ -	\$1,127,500 * Footnote
PI/PD	Dept.	Agency	Title	Amount Requested	Indirect Costs	YSU Cost Share
McCartney, R.	Regional Economic Development	Economic Development Admin	Excellence Training Center in Advanced Manufacturing Workforce Training and Education Center	\$2,000,000	\$ -	\$652,500 * Footnote
Pavlichich, D.	International Programs	Univ Studies Abroad Consort	USAC Study Abroad Ambassador	\$2,600	\$ -	\$ -
Sharma, S.	Civil/Environmental Eng.	U.S. EPA	Investigating Variability of Streamflow and Salinity Level in Mentor Marsh	\$187,959	\$27,562	\$31,855
Spalsbury, A	Mathematics and Statistics	Ohio Dept of Higher Ed	MCAPS: Crossing Over to Remediation-Free College Degrees	\$150,000	\$11,111	\$ -
Spalsbury, A	Mathematics and Statistics	Ohio Dept of Higher Ed	MCAPS: Crossing Over to Remediation-Free College Degrees	\$15,000	\$ -	\$ -
Tang, J.	Psychology	Templeton Foundation	Growth from Poverty: From Character Strengths to Altruism	\$283,017	\$54,719	\$ -
Wagner, N.	Nursing	Ohio Board of Nursing	Nurse Education Grant Program	\$200,000	\$ -	\$ -
TOTAL				\$8,550,740	\$289,850	\$1,921,795

Footnote:

* YSU received funds through the State of Ohio Biennial Capital Budget that were used as matching dollars for two proposals to construct the MVICC.

Proposals Funded from External Agencies

Fourth Quarter Report – FY2016-17

April 1, 2017 to June 30, 2017

PI/PD	Dept.	Agency	Title	Amt. Awarded	Indirect Costs	YSU Cost Share
Conner, B.	Mechanical & Industrial Engin.	America Makes	Maturation of Advanced Mfg, II	\$3,524,973	\$368,671	\$292,684
Crescimanno, M.	Physics	National Science Foundation	NSF Leadership Change with Lewis and Clark University	\$15,281	\$4,764	\$ -
DeBlasio, D	History	Youngstown Area Jewish Federation	GAI for Youngstown Area Jewish Foundation Archives Project	\$8,000	\$ -	\$375
DeBlasio, D	History	Friends of the YHCIL	Youngstown History Center of Industry and Labor Blueprint Project	\$2,500	\$ -	\$ -
DeBlasio, D	History	Flor Navarro Foundation	Cars and Car Dealerships	\$2,000	\$ -	\$ -
Hughes, T.	Soc Anthro & Gerontology	Univ of Pittsburgh (via NIH)	Mild Cognitive Impairment: A Prospective Community Study	\$33,733	\$9,893	\$ -
Lovlace-Cameron, S.	Chemistry	American Chemical Society	Project SEED 2017	\$7,500	\$ -	\$2,500
Maher, T.	Metro College	Ohio Department of Higher Ed	AJT iPad Program	\$31,600	\$ -	\$ -
Marchionda, D.	REDI	Comm Fdn Mahoning Valley	Matching funds for NEA OURTOWN 2016 #16-4292-7091	\$7,500	\$530	\$ -
Pavlichich, D.	International Programs	University Studies Abroad Consort	USAC Study Abroad Ambassador	\$2,600	\$ -	\$ -
Sharif, Bonita	Comp. Sci and Info Systems	National Science Foundation	CI-New: Collaborative Research: An Infrastructure that Combines Eye Tracking into Integrated Development ...	\$76,744	\$18,222	\$ -
Spalsbury, A	Mathematics and Statistics	Ohio Department of Higher Ed	MCAPS : Crossing Over to Remediation-Free College Degrees	\$15,000	\$ -	\$ -
Sumell, A.	Economics	National Education Assoc	YSU Food Pantry Expansion	\$5,000	\$ -	\$ -
TOTAL				\$3,732,431	\$402,080	\$295,559

EXECUTIVE SUMMARY

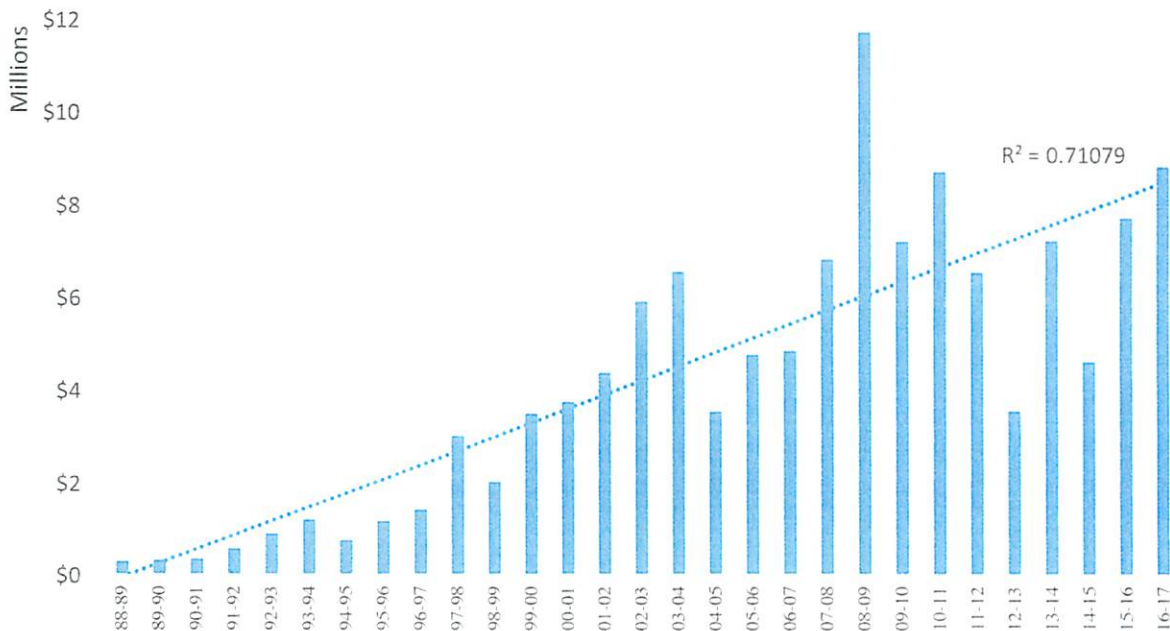
Fiscal Year Report 2016-17
 July 1, 2016 to June 30, 2017

Office of Research Services highlights:

- managed the second highest number of projects in history
- managed the second highest number of awards in history
- managed the highest number of IRB protocols in history
- expanded CITI training to support regulatory compliance in areas such as export control, clinical trials, and informed consent within research.
- implemented an electronic research administration (eRA) software system to support proposal tracking, management, reporting, compliance, and integrity.
- Provided over 20 workshops on broad range of topics to expand and enhance compliance, integrity, research, and technology.
- Submitted new TRiO grants, NIH and NSF grants.

Highlights Comparative Data:	FY2015-16	FY2016-17 YTD
Total Dollars Requested	\$29,187,789	\$33,336,892
Total Dollars Received	\$7,702,061	\$8,791,512
Total Projects Managed (Submissions and Awards):	178	154
Total Quantity of Awards	85	78
Total IRB Protocols	202	207
FY Proposal Success Rate	46%	51%

Office of Research Services: Total FY16-17 Awards



FISCAL YEAR METRICS
 Fiscal Year Report 2016-17
 July 1, 2016 to June 30, 2017

Quantity of Research Activities by Funding Agency							
	FY10-11	FY11-12	FY12-13	FY13-14	FY14-15	FY15-16	FY16-17
Federal	71	61	42	51	55	74	57
State	41	29	25	28	32	39	43
Private	12	9	11	15	15	14	23
Local	9	17	17	9	17	21	25
Industry	0	3	11	6	6	4	2
Association	3	9	7	15	8	26	4
Total	136	128	113	124	133	178	154

- ORS managed the second highest number of sponsored projects in history.
- Comparing the average of FY11-15 to the average of FY16-17:
 - 31% increase in the total number of sponsored projects.
 - 17% increase in total federal grant requests.
 - 67% increase in local/community grant requests.

Total External Funding							
	FY10-11	FY11-12	FY12-13	FY13-14	FY14-15	FY15-16	FY16-17
Funded	\$8,684,702	\$6,532,187	\$3,553,670	\$7,213,042	\$4,602,689	\$7,702,061	\$8,791,512
Not Funded	\$33,061,140	\$20,326,840	\$16,984,254	\$11,707,319	\$20,733,261	\$21,485,728	\$24,545,380
Total	\$41,745,842	\$26,859,027	\$20,537,924	\$18,920,361	\$25,335,950	\$29,187,789	\$33,336,892

- \$1 million (14%) year to year increase in awarded dollars
- YSU is applying for higher value grants and winning more often.
- NOTE: This marked growth in funding, especially Federal and State dollars, emphasizes a critical need to implement increased compliance measures.

Funding by Type of Sponsor

	FY15-16	FY16-17
Federal	\$2,349,646	\$4,855,063
State	\$880,005	\$2,961,850
Private	\$4,119,720	\$130,610
Local	\$175,977	\$744,647
Industry	\$16,900	\$13,256
Assoc.	\$159,813	\$86,086
Total	\$7,702,061	\$8,791,512

Total Grant Activities by College (Submissions and Awards)							
	FY10-11	FY11-12	FY12-13	FY13-14	FY14-15	FY15-16	FY16-17
Education	7	5	4	8	14	24	33
Business	6	9	6	4	7	3	2
HHS	9	9	9	8	16	18	13
CLASS	5	7	4	5	9	16	9
CCAC	11	17	8	4	2	6	4
STEM	61	40	44	60	66	76	58
General	37	41	38	35	19	35	35
TOTAL	136	128	113	124	133	178	154

- Comparing the average of FY11-15 to the average of FY16-17, the Beeghly College of Education grant activity increased by 275%.

Total Quantity of Grant Awards by College							
	FY10-11	FY11-12	FY12-13	FY13-14	FY14-15	FY15-16	FY16-17
Education	3	3	3	6	11	11	17
Business	4	5	1	3	6	2	2
HHS	4	4	3	3	6	12	5
CLASS	4	3	2	4	5	12	6
CCAC	4	8	6	2	2	4	3
STEM	21	12	11	21	18	20	22
General	25	25	17	21	19	24	23
TOTAL	65	60	43	60	67	85	78

- The Beeghly College of Education and the STEM College each had a record year for number of awarded grants.

Total Dollars Awarded to Academic Colleges							
	FY10-11	FY11-12	FY12-13	FY13-14	FY14-15	FY15-16	FY16-17
Education	\$471,176	\$33,375	\$22,440	\$65,833	\$968,491	\$1,141,871	\$1,830,917
Business	\$476,915	\$512,042	\$323,000	\$244,204	\$457,650	\$285,400	\$350,000
HHS	\$71,819	\$339,630	\$34,870	\$291,293	\$173,209	\$319,286	\$181,251
CLASS	\$23,068	\$19,076	\$17,444	\$34,070	\$51,045	\$223,237	\$174,058
CCAC	\$170,911	\$241,393	\$212,889	\$154,719	\$156,927	\$202,554	\$246,062
STEM	\$5,587,141	\$3,781,424	\$1,625,240	\$5,065,335	\$1,892,113	\$4,949,366	\$5,054,555
General	\$1,883,672	\$1,605,247	\$1,317,787	\$1,357,588	\$903,254	\$580,347	\$954,669
TOTAL	\$8,684,702	\$6,532,187	\$3,553,670	\$7,213,042	\$4,602,689	\$7,702,061	\$8,791,512

- The Beeghly College of Education and the College of STEM both achieved notable increases over FY16.

DOLLARS GENERATED FACULTY OR STAFF							
	FY10-11	FY11-12	FY12-13	FY13-14	FY14-15	FY15-16	FY16-17
FACULTY	-	-	-	-	-	\$5,940,839	\$5,857,154
STAFF	-	-	-	-	-	\$1,761,222	\$2,934,358
TOTAL	-	-	-	-	-	\$7,702,061	\$8,791,512

- Staff were responsible for 33% of external awards.

Success Rate: Proposals							
	FY10-11	FY11-12	FY12-13	FY13-14	FY14-15	FY15-16	FY16-17
Funded	65	60	43	60	67	85	78
Not Funded	71	68	70	67	66	93	76
Total	136	128	113	124	133	178	154

- Comparing the average of FY11-15 to the average of FY16-17, there was a 38% increase in the number of funded proposals.

RESEARCH INTEGRITY METRICS							
	FY10-11	FY11-12	FY12-13	FY13-14	FY14-15	FY15-16	FY16-17
IACUC	6	5	6	6	5	4	5
IRB	186	194	190	166	192	202	207
TOTAL	192	199	196	172	197	206	212

- 207 IRB (Human Subject Research) protocols represent a YSU record high.
- ORS significantly expanded trainings provided by CITI to support regulatory compliance and ethics.

Youngstown State University
Report on student headcount: new programs

	<u>2012-13</u>		<u>2013-14</u>		<u>2014-15</u>		<u>2015-16</u>		<u>2016-17</u>	
	EST*	ACTUAL**	EST*	ACTUAL**	EST*	ACTUAL**	EST*	ACTUAL**	EST*	ACTUAL**
• Bachelor of Arts in Dance Management (2011)	8	14	11	10	15	11		10		10
• Bachelor of Science in Dental Hygiene (BSDH) (2011)	24	4	48	13	72	32	96	43	96	49
• Bachelor of Science in Respiratory Care (completion) (2014)~						1		6		8
• Bachelor of Science in Biochemistry (2015)							2	0	6	8
• Bachelor of Engineering in Manufacturing Engineering (2016)									2	0

Graduate programs

• PhD, Materials Science and Engineering (2010)	3	5	6	5	9	7	12	11	12	12
• Master of Respiratory Care (2011)	24	2	36	2	36	12	36	16	36	21
• M.Ed. in Intervention Services (2011)***	12	12	22	22	32	31	32	32	32	29
• Educational Specialist (Ed.S.) in School Psychology (2011)***										
• Master of Arts in Interdisciplinary Communication (2012)		6	14	13	21	18	27	15	30	19
• Master of Arts in Gerontology (2013)			10	4	20	4	26	14	27	21
• Master of Accountancy (2015)							12	0	16	21
• Master of Athletic Training (2015)~~~									12	5
• PMC in Adult Gero Nurse Practitioner (Fall 2017)										

*Per fiscal Statement

**Per enrollment report fall only (fiscal statement is unduplicated headcount.)

***M.Ed. and Ed.S. are combined

~No fiscal statement required

~~Grad students only