

# BOARD OF TRUSTEES



## AGENDA

**Thursday, September 7, 2017**

## BOARD OF TRUSTEES' MEETING

Thursday, September 7, 2017  
3:00 p.m.

Tod Hall  
Board Meeting Room

### AGENDA

- A. Roll Call
- B. Proof of Notice of Meeting
- C. Disposition of Minutes
- D. Oath of Office of New Trustee, Capri S. Cafaro
- E. Oath of Office of New Trustee, Molly S. Seals
- F. Oath of Office of New Student Trustee, Lexi E. Rager
- G. Report of the President of the University
- H. Report of the Committees of the Board
  1. Academic and Student Affairs Committee
    - a. Faculty Presentation - Dr. Victoria E. Kress, Professor, Department of Counseling, School Psychology, & Educational Leadership; Beeghly College of Education.  
Faculty Presentation - Dr. Eric MacDonald; Professor, Electrical and Computer Engineering, Friedman Chair for Manufacturing  
Student Presentation - Alexis Vogler, Psychology and Philosophy major  
Student Presentation - Mohammad Yusuf - Bachelor of Science in Business Administration
    - b. Resolution to Modify "*The Student Code of Conduct*" Policy, 3356-8-01.1
    - c. Resolution to Modify Adjunct Faculty Policy, 3356-10-09
    - d. Resolution to Authorize Conferral of Honorary Degree – Dr. Pamela Browner White
    - e. Resolution to Rescind Policies: 3356-5-05, 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
    - f. Resolution to Approve Reorganization to Create the Office of College Access and Transitions
  2. Institutional Engagement Committee
    - a. Resolution to Accept Alumni Engagement and WYSU Memberships
  3. Finance and Facilities Committee
    - a. Resolution to Modify University Construction/Renovation Projects Policy, 3356-4-15
    - b. Resolution to Modify Key Control Policy, 3356-4-16
    - c. Resolution to Approve Interfund Transfers
    - d. Report of the Audit Subcommittee, James E. "Ted" Roberts, Chair
    - e. Report of the Investment Subcommittee, Samuel W. Grooms, Chair
  4. University Affairs Committee
    - a. Resolution to Ratify Personnel Actions – Athletics
    - b. Resolution to Modify and Retitle Workplace Violence Policy, 3356-7-04
    - c. Resolution to Modify and Retitle Background Checks for Potential Employees Policy, 3356-7-44
    - d. Resolution to Approve the Selection of the Position for Associate Provost for Academic Administration
    - e. Resolution Approve the Selection of an Associate Vice President for Technology and Chief Information Officer
    - f. Resolution to Ratify Personnel Actions – Faculty/PA Staff

- 5. Governance Committee
  - I. Communications, Memorials, News Updates
    - a. Resolution in Memoriam – Frank C. Watson
    - b. Resolution in Memoriam – Harry Meshel
  - J. Unfinished Business
  - K. New Business
  - L. Chairperson’s Remarks
  - M. Dates and Times of Upcoming Regular Meetings of the Board
    - Tentative Meeting Dates: 3 p.m., Thursday, December 7, 2017
    - 3 p.m., Thursday, March 15, 2018
    - 3 p.m., Wednesday, June 13, 2018
  - N. Adjournment

# **DIVIDER**

## **ACADEMIC AND STUDENT AFFAIRS COMMITTEE**

**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 A attached hereto. A copy of the policy indicating the changes to be made is also attached.

**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 15, 2016~~ September 7, 2017  
Next Review: ~~2019~~20

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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.

**Agenda Item H.1.b**  
**Exhibit A**

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. ~~administrator.~~

The student conduct administrator shall determine the composition of student conduct bodies and appellate ~~boards~~ 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~~ matter 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 ~~his/her~~ 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.
  - (~~b~~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’s 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, ~~and~~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 ~~and~~/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 ~~dishonesty~~integrity. ~~Academic dishonesty includes but is not limited to~~ Violations of academic integrity include:
  - (a) Plagiarism, which includes ~~but is not limited to~~, the use by paraphrase or direct quotation of the published or unpublished work of another person without full and clear acknowledgement; ~~It also includes~~ 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, ~~such as~~ including working together on assignments or projects to an extent not permitted by the instructor.
- (f) Multiple submissions of the same work, ~~which includes but is not limited to:~~ including submitting the same or parts of the same assignment for multiple classes without permission from the instructor.
- (g) Fabrication of data, ~~which includes but is not limited to:~~ including presenting fictitious data relating to experiments, changing of data obtained from sources, and citing non-existent sources.
- (h) Bribes, threats, or intimidation ~~which include but are not limited to:~~ including exchange of payment for assignments or parts of assignments, and threats to entice others to engage in ~~academic dishonesty~~ violations of the academic integrity policy.
- (i) Impersonation, ~~which includes but is not limited to:~~ 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. ~~This~~ which includes, ~~but is not limited to:~~ 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.~~
  - ~~(bc) Manufacturing, or distribution of alcoholic beverages to any person under twenty-one years of age except as permitted by law.~~
  - ~~(e) — 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.~~
- (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 ~~C~~conduct system. ~~Abuse of the student conduct system, including but not limited to:~~
- (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 ~~system or a university~~ investigation 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 ~~and/or~~ after a student conduct proceeding.
  - (g) Failure to comply with the sanction(s) imposed by ~~a~~the 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; ~~or aids, abets, or persuades another person to engage in such conduct.~~

(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, except as expressly permitted by law and/or under the direction of a licensed physician. No student shall sell or give drugs to any other person.~~

(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) ~~Non-academic~~ 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”).
- (ge) 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.
- (hf) Sex offenses. See Chapter 2907 of the Revised Code which defines “Sex Offenses” under Ohio law.
- ~~(i) Please see university’s “Sexual misconduct” policy (university policy 3356-2-03.1 and rule 3356-4-09 of the Administrative Code).~~
- (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) ~~or a~~ 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 ~~his/her~~their -prior knowledge or without ~~his/her~~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 ~~his-or her~~their prior knowledge or consent, even if the ~~audio-or video~~-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.
- ~~(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.~~

(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" ~~alleging by a student and/or a student~~ group/organization ~~misconduct~~. The report shall be prepared in writing and directed to the office of student conduct-officer. 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 ~~his/her~~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. ~~before a hearing panel.~~

- (d) The standard of proof utilized in all university student conduct proceedings shall be a preponderance of evidence; ~~i.e., more likely than not that the alleged conduct occurred.~~ 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 ~~prohibited~~ student conduct section standards of “The Student Code of Conduct” will first be scheduled for a conduct conference with the ~~student~~ conduct officer ~~or deputy conduct officer~~ assigned to review the allegation. The respondent (~~accused student~~) 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:

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

- (b) The conduct conference is the first step in ~~“The Student Code of Conduct”~~ 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 ~~student conduct~~ 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 ~~student~~ -conduct officer will sanction the respondent as part of the conduct conference. The respondent will be asked to sign ~~a the student~~ conduct agreement form, which will outline all of the sanctions offered to the student respondent. While the student may sign the form agreement immediately, they have up to three university working days to do so. The student 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 form 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 ~~student~~ conduct officer will ~~proceed to schedule a hearing for the student~~ 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 ~~staff member from the office of student conduct or housing and residence~~



~~life who is presenting the information~~ conduct officer) may remain present the entire time, excluding deliberations.

- (b) Student conduct board hearings panels consist of three ~~are presided over by~~ members of the student conduct board. Each student conduct board hearing will have a hearing ~~board~~ 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 is assigned ~~may have~~ a hearing ~~board~~ 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 ~~board~~ panel advisor will also keep the proceedings focused on issues relevant to the specific allegations. The hearing ~~board~~ panel advisor ~~will not participate in a determination of a finding or sanction. However, the board advisor~~ may be summoned by ~~student conduct board members~~ the hearing panel during deliberations to answer questions ~~regarding the conduct process~~ and provide guidance as necessary.

(4) Hearing procedures.

- (a) Guidelines.
  - (i) The chair ~~of the student conduct board~~ will explain the ~~respondent's~~ rights and responsibilities of the respondent and, ~~if applicable,~~ the complainant's ~~rights and responsibilities~~.
  - (ii) The chair and (in conjunction with the board hearing panel advisor, ~~if applicable), is~~ 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 ~~(if applicable)~~ may ask for the removal of a ~~student conduct officer or deputy conduct officer~~ hearing panel member by providing written or verbal evidence of bias. ~~In cases before a hearing board,~~ The charge of bias is made to the chair ~~person~~ who will determine whether it is valid. If the charge of bias is against the chair ~~person~~, the hearing board 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 ~~student~~ conduct officer may ask questions of any party at any time throughout the hearing.
  - (v) The chair and hearing panel advisor ~~is~~ are responsible for determining the relevancy of questions asked during a hearing. ~~The chair and~~ may deem certain questions irrelevant and not allow them to be answered. ~~In student conduct board hearings, the hearing board advisor may assist the chair in those determinations.~~
  - (vi) The chair may exclude persons from the hearing if they are disruptive or postpone the hearing because of disruptive behavior ~~of~~ 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 ~~ask the student conduct officer to briefly introduce themselves and explain why they have requested the hearing,~~ 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) Following the introduction,~~ The student conduct officer will provide the student conduct board with explain why the case was referred for a hearing and will provide a detailed summary of the incident and, if applicable, any subsequent investigation undertaken.

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

~~(iv) The student conduct board 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. The student conduct officer may question the respondent at this time.~~

~~(v) The student conduct officer will then present any relevant witnesses or documentary information to the student conduct board. The student conduct board, respondent, and complainant (if applicable) 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 student conduct board hearing panel. The student~~

~~conduct board~~hearing panel and the ~~student~~ conduct officer will each in turn have the opportunity to ask questions regarding the information presented by the respondent to this point.

- (vii) The ~~student~~ conduct officer will have an opportunity to make a summary statement including any sanctioning recommendations.
  - (viii) The complainant, ~~if applicable~~, will have an opportunity to make a summary statement including any sanctioning recommendations.
  - ~~(viii)~~(ix) The respondent will have an opportunity to make a summary statement including any sanctioning recommendations.
- (d) Deliberation and finding.
- (i) The ~~student conduct board~~hearing panel will go into closed session to determine by the preponderance of evidence whether the respondent will be found ~~in violation of~~responsible for the charge(s) pending in this matter. Student conduct ~~boards~~hearing panels determine findings by majority vote.
  - (ii) ~~The hearing will re-convene for the announcement of the finding. If the respondent is not found responsible for the violation, the case will be dismissed.~~ If the respondent is found responsible for a violation of one or more of the pending charges, the hearing 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.

~~(e) Sanctioning.~~

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

~~disciplinary history, if any.~~

~~(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 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.~~

~~(viii) The hearing will reconvene for the announcement of the findings and any subsequent sanction(s). In student conduct board hearings, the sanction(s) isare recommended to the associate vice president for student experience or designee, who will make the final decision. While normally the board's recommendation will be the sanction imposed, the associate vice president for student experience or designee may impose a different sanction. The associate vice president for student experience or designee will send the student written notification of the decision including all parties involved.~~

~~(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 ~~of prohibited conduct~~ until found in violation by a preponderance of the evidence.
  - ~~(viii)~~ (ix) To speak or not speak on their own behalf.
  - ~~(ix)~~ (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 ~~that~~who participates as part of a hearing.
  - (xiii) The right to appeal.
  - ~~(xiv)~~ (xv) 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 ~~prohibited~~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 ~~his/her~~ their behalf.
- (6) Reasonable accommodation for students with disabilities. Any student with a disability involved in ~~this 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 ~~but are not limited to~~ sign language interpretation, real-time communication access during hearings, large print documents, extended time to review documents, or assistance with transcribing questions during interviews or hearings.
- (7) Sanctions. If the student ~~and/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 ~~accused student or group/organization~~ respondent. The notification will be ~~provided by personal delivery, or by certified or regular U.S. mail delivery~~ sent to the ~~accused student or group/organization~~. ~~Notification will also be sent to the accused student’s~~ respondent’s official university email ~~address~~ 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 ~~the~~ a student

conduct ~~officer~~body may be appealed in writing. ~~(See pursuant to paragraph (E) (9) of this policy.)~~ If the individual~~respondent~~ files a ~~written letter of request for appeal with the student conduct administrator~~, 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 student~~respondent~~.

- (a) The following sanctions may be imposed upon any student ~~that~~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 ~~a~~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 ~~more severe student conduct action~~increased sanctioning. ~~A warning will remain in effect for a period not to exceed one academic year.~~
- (ii) Conduct probation. Notice in writing that the violation of “The Student Code of Conduct” is serious, ~~flagrant, or a repeated violation of policy~~ and ~~a warning~~ that any subsequent violation(s) of university regulations may result in imposition of additional restrictions or conditions, suspension or expulsion ~~and/or imposition of restrictions or conditions consistent with the offense committed and the rehabilitation of the student.~~
- (iii) Conduct probation with restrictions. Notice in writing that the violation of university regulations is a serious, ~~flagrant, or repeated violation,~~ and ~~a warning~~ 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 ~~and/or~~ monetary or material ~~replacement~~ replacement ~~and may be required in addition to other sanctions as described in this section.~~
- (v) ~~Academic/developmental~~ Educational sanctions. Other sanctions may be imposed instead of, or in addition to, those specified above. These may include, e.g., 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 ~~(not to exceed one academic year)~~ 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. ~~Additional sanctions appropriate to the new violation may also be issued.~~
- (vii) Residence hall suspension. Separation of the student from the residence halls for a specified period of time ~~(not to exceed one academic year)~~, 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 ~~(not to exceed one academic year)~~, 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 ~~the right to participate in any academic or university activities on a permanent basis~~ 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/~~or~~ 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 ~~and/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 ~~recommending sanctions to the hearing panel and for~~ ensuring that sanctions imposed by ~~the~~ 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 ~~before the student conduct body, this includes including but not limited to~~ university or residence hall suspension,
- (a) Interim ~~suspension~~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 ~~student~~respondent's own physical or emotional safety and well-being;
  - (iii) If the ~~student~~respondent poses a threat of disruption or interference with the normal operations of the university; or
  - (iv) If ~~a student~~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 ~~suspension~~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 ~~suspension~~the interim measure. The ~~student~~respondent -will also be notified ~~by email to~~via their ~~current~~official university email address. The interim ~~suspension~~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) ~~During~~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 ~~accused student or group/ organization-~~ respondent or complainant ("the appellant") within ~~seven~~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 ~~letter of 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 an request for appeal ~~request~~ 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 filing the appeal.~~
- (d) ~~Appeals~~ Appellate hearings are not a re-hearing of the student conduct case. Except as required to explain the basis of new evidence, an ~~appeal~~ 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 ~~accused student or group/organization~~ 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 ~~student or group/ organization~~ respondent was found ~~to have committed~~ responsible.

- (iv) A claim that there is new information, sufficient to alter a decision or other relevant facts not ~~brought out~~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.
- (ef) 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.
- (fg) ~~Appeals of decisions or sanctions imposed~~A request for appeal in a case adjudicated by a conduct officer will be reviewed by the student conduct administrator. ~~Appeals of decisions by a~~A request for appeal in a case adjudicated by a student conduct board hearing panel will be reviewed by an appellate ~~board~~hearing panel. An appellate ~~board~~hearing panel is composed of three members from the student conduct board selected by the student conduct administrator. ~~who will review the appeal.~~
- (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.
- (gi) The appellate ~~board~~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.
- (hj) If an appellate ~~board~~hearing panel or student conduct administrator determines that ~~an~~ request for appeal has met one or more of the grounds, the following options are available:



- (i) ~~The case may be r~~Remanded the case to the original panel for reconsideration consistent with the granted grounds for appeal.
  - ~~(ii) — The appeals~~appellate student conduct body may ~~reverse the finding of responsibility in whole or in part.~~
  - ~~(iii) — The appeals~~appellate student conduct body may Uphold the original decision., ~~reduce, or increase the sanctions.~~
  - ~~(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.~~The appeals body may dismiss the appeal if ~~the appeal is not based upon one of the grounds listed above in this policy.~~
  - ~~(v) — The appeals body may deny the appeal.~~
  - (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.
  - (i) The decision of the appellate ~~board~~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 ~~misconduct cases originating within~~ 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 ~~houses~~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 househall for ~~misconduct~~ alleged violations of policy within the residence househall, campus dining facilities, or at any residence househall function.
  - (c) Upon receipt of a written report, the ~~deputy~~ conduct officer will conduct an investigation to determine whether there is ~~a~~ reasonable cause to believe that a violation of “The Student Code of Conduct” may have occurred. If ~~so~~, 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 ~~the exception of~~ residence hall expulsions, university suspension, ~~of a student, and~~ 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. ~~University expulsion and university suspension of a student organization conduct records shall be kept indefinitely.~~ Upon graduation, the student may petition the student conduct ~~administrator~~ officer for removal of all files contained in ~~his or her~~ their student conduct records. The student may appeal a negative response of the student conduct officer ~~and/or the student conduct board to~~ the student conduct administrator.
  - (b) Records regarding university expulsion or university suspension of a student group/organization shall be kept indefinitely.

- (bc) All material gathered from a substantiated conduct case (residence ~~house~~hall, academic, and other) shall become part of any new case against the same ~~individual(s)~~ respondent(s) after the new charges have been substantiated.
- (ed) Student conduct records are maintained only in the names of ~~students~~respondents ~~found responsible for violations of university policy, local, state or federal law.~~to have violated regulations.
- (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 ~~dispose~~adjudicate ~~of~~ 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 ~~dishonesty~~ integrity violation ~~and student academic grievance~~ procedures.
- (1) ~~Academic dishonesty.~~ 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 ~~effor~~ for maintaining high standards of honesty and ethical practice. Cheating, plagiarism, and other forms of academic dishonesty constitute a serious violation of university ~~conduct regulations~~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 ~~dishonesty~~integrity policy.
- (b) Students suspected of violations of the academic ~~dishonesty~~integrity policy may be charged with a violation of university ~~conduct~~policy ~~regulations~~ under paragraph (D)(1) of this policy. the student conduct standards as outlined in ARTICLE III. 1. of this

document. Cases of alleged ~~academic dishonesty~~ violations of the academic integrity policy shall be resolved ~~in~~ as outlined below ~~the following manner:~~.

(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.

(a2) ~~Identification of a~~ Academic ~~dishonesty~~ integrity conference.

(ia) After the faculty member has gathered evidence ~~supporting academic dishonesty~~ 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.
- (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.

~~(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.

\_\_\_\_\_ (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.

\_\_\_\_\_ (iii) \_\_\_\_\_ During the academic integrity conference, the \_\_\_\_\_  
\_\_\_\_\_ faculty member shall discuss the allegations with \_\_\_\_\_  
\_\_\_\_\_ the student and determine whether the student is \_\_\_\_\_  
\_\_\_\_\_ responsible.

\_\_\_\_\_ (a) \_\_\_\_\_ If the faculty member determines that the \_\_\_\_\_  
\_\_\_\_\_ student is not responsible, no further action \_\_\_\_\_  
\_\_\_\_\_ is warranted.



~~(b) If the faculty member concludes that the student is responsible, the faculty member shall determine the sanction to be imposed (see paragraph (F)(3) of this policy) and complete the academic integrity form. While the student may sign the form immediately, he/she has up to three university working days to do so. The student has the option to accept the charge but contest the sanction or agree to both the charge and the sanction. Once the form is signed, the decision is final and there is no appeal process.~~

~~(c) If the student signs the academic integrity form, acknowledging the incident and the sanction, then no committee action is required unless the recommendation is suspension or expulsion.~~

~~(i) The student will return the form to the faculty member.~~

~~(ii) In turn, the faculty member will forward the form to the departmental chairperson for signature acknowledging the case has been brought to the chair's attention.~~

~~(iii) The chairperson will then forward the form to the dean for signature acknowledging the case has been brought to the dean's attention.~~

~~(iv) 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) Regardless of whether the academic integrity form is signed, in situations where suspension or expulsion from the university is recommended by the faculty member, the case will immediately be sent to the student conduct office and forwarded to the judicial chair to initiate a panel hearing. A representative from the student conduct office must be present at all university suspension and expulsion hearings to serve in an advisory capacity.~~

(24) ~~Academic integrity hearing panel structure. The academic integrity panel shall consist of~~ 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. ~~A seventh faculty member shall be selected by the graduate council to represent the graduate college.~~ 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 ~~S~~student members are appointed by the associate vice president for student experiences and serve a two-year term. In addition, six (6) Ggraduate students ~~may~~ (preferably one from each college) will be appointed by the graduate council to hear cases involving graduate students. ~~to a one-year term.~~

- (i) Students must complete an application available ~~at the student experience~~ through the office of student conduct.
- (ii) ~~Two~~ One undergraduate student members, ~~one undergraduate and one graduate, are~~ 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 judicial student conduct record.
- (v) Students should be sophomore status or above.
- ~~(vi) A graduate student shall be appointed by the dean of the graduate college.~~

(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.

~~(39) Sanctions. If the faculty member concludes that the student was responsible, they may impose a sanction which may include but is not limited to one of the following:~~ 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) Warn the student~~ Issue an official warning.

~~(b) Lowering the grade on the exam, paper and/or the assignment related to the incident;~~ in question.

~~(c) Lowering the final grade for the course;~~ and/or

~~(d) Requesting additional action from the student academic grievance subcommittee, such as 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.

(410) Role of the student conduct administrator (“SCA”), ~~in matters of academic dishonesty.~~ 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, ~~with the exception of expulsion, after seven years. Please note that if within seven years another institution, as a result of the student transferring or applying to graduate school, requests a copy of the student disciplinary record, these records may be revealed as~~ outlined in this policy.
- (c) In ~~instances~~ cases where the academic integrity form is completed by all parties, signed, the SCA 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 ~~instances~~ cases where the student has already been found responsible for a previous ~~has one prior~~ academic dishonesty offense, integrity violation, any additional ~~offenses~~ violation ~~will constitute a violation of “The Student Code of Conduct” and will require the student to undergo a student code of conduct hearing through the office of student conduct~~ result in a review of all cases by the office of student conduct for possible additional charges and sanctioning.

~~(5) — Academic integrity hearing procedures.~~

- ~~(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 and any evidence they would like to be considered in the case. The student will have five university working days to submit the statement and evidence 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 evidence produced by the student and/or faculty member to the academic grievance subcommittee, 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 evidence produced by the student and/or faculty member, chairperson or dean combined are considered to be the academic Integrity packet.~~
- ~~(d) — A hearing date, time, and location for the academic integrity hearing will be established by the judicial chair. Academic grievance subcommittee members shall have a minimum of three days to review all written materials in the academic integrity packet submitted by the affected parties. The academic integrity hearing notice shall be sent to the parties directly involved in the grievance procedure, except advisors and witnesses. Parties directly involved in the academic integrity procedure:
  - ~~(i) — Faculty/student. The party who files the academic integrity form and the party against whom the claim of academic dishonesty is filed. 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 during the grievance hearing but will not remain in the room throughout the hearing.~~
- (iii) ~~Dean. The dean of the college in which the faculty member's department is housed. The dean's attendance is optional. If the dean is in attendance, they will be brought in to speak during the grievance hearing but will not remain in the room throughout the hearing.~~
- (iv) ~~Academic integrity hearing panel. Derived from the membership of the student academic grievance subcommittee of the academic senate. At minimum, it consists of three faculty members, three undergraduate students, and the judicial chair. This panel conducts the formal hearing and renders a decision.~~
- (v) ~~Advisors. The student and the faculty member may avail themselves of the services of an advisor throughout the academic integrity process. Such an advisor may be drawn from within or outside the university community. Advisors may not present testimony or speak on behalf of the respondent. They are permitted, however, to give notes or whisper instructions/advice to the student or faculty member involved. Examples of advisors include a parent, attorney, clergy, other faculty member, or coach. The advisor may not be the chairperson or dean for the faculty member or student. In situations where a graduate assistant is considered the instructor of record, the chairperson may serve as an advisor and stay throughout 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 that presents repetitive testimony may be limited.~~
- ~~(vii) — No member of an academic integrity hearing panel will hear a case directly involving him/her.~~
- ~~(e) — During the hearing:
  - ~~(i) — The following rights are guaranteed to the student and the faculty member:
    - ~~(a) — The right to be present; the right to be accompanied by an advisor of their choice;~~
    - ~~(b) — The right to speak in support of their argument;~~
    - ~~(c) — The right to bring witnesses in support of their case;~~
    - ~~(d) — The right to present information directly supporting their written items in the academic integrity packet, including oral testimony; and~~
    - ~~(e) — The right to refute information presented.~~~~
  - ~~(ii) — The judicial chair has the right to limit the amount of time testimony is presented by any given individual; remove disruptive individuals from the room; ensure that only the members of the academic integrity hearing panel, student, and faculty member are present in the room; ensure that all witnesses remain outside the hearing room and are brought in and dismissed after their testimony is presented.~~~~
- ~~(f) — After the hearing.~~

- ~~(i) — The academic integrity hearing panel shall meet in closed session to review the information presented and reach a decision. The panel shall vote using secret ballots tallied by the judicial chair. The judicial chair will only vote in circumstances of a tie among the panel.~~
- ~~(ii) — After the academic integrity hearing panel has determined that the student is guilty of academic dishonesty, the panel may consider previous resolved cases (on file with the student conduct office) involving the student when assigning an appropriate sanction.~~
- ~~(g) — Documentation of academic integrity hearing panel's decision.~~
  - ~~(i) — Both parties shall be informed of the academic integrity hearing panel's decision in writing as soon as reasonably possible. 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 academic integrity procedure, except advisors and witnesses within three university working days.~~
  - ~~(ii) — The forwarding of the written statement of the academic integrity hearing panel's decision ends the student academic grievance subcommittee's involvement in the disposition of the violation.~~
  - ~~(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 committee ruling 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, then the provost will sign off on the grade change form.~~

~~(h) At the discretion of the judicial chair, the timeline stated above may be extended.~~

~~(i) Appeals:~~

~~(i) Only students may appeal the decision of the academic integrity hearing panel regarding academic dishonesty. The appeal can only be based on procedural violations and must be submitted within five university working days from the date the academic integrity hearing panel's decision was made. The request for an appeal is submitted in writing to the judicial chair.~~

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

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

~~(b) If the academic senate executive committee determines that procedural violations may have occurred and were potentially substantive, the case will be referred to a three-person committee made of one student and two faculty members to hear the case. This will take place within twelve university working days of receipt of the written appeal. The decision reached by this committee is final and may not be appealed.~~



(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.

(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.

(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 ~~that~~who may be a threat to the safety and security of the student body ~~and~~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, ~~he/she~~ 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 ~~student~~ 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 ~~person~~ ~~suspended~~ 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, ~~he or she~~ 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, ~~he/she~~they will be ~~dismissed~~suspended from Youngstown state university for the period of one year. The student will receive a written notice of the ~~dismissal~~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 ~~under~~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 ~~person~~student whose suspension is being considered, given at the hearing, shall not subsequently be used in any criminal proceeding against the ~~person~~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 ~~that~~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 ~~conduct regulations~~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 drug or alcohol~~violations 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 ~~his/her~~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 other drugs 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 his/her/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 terms "accused student" or "respondent" shall mean any student accused of violating "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 ~~board~~hearing panel” shall mean any person or persons authorized on a case-by-case basis by the student conduct administrator to consider ~~an~~ 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.”
- ~~(5)~~ (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.
- ~~(6)~~ (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.
- ~~(7)~~ (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.

- (89) 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.
- ~~(9) 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.”~~
- ~~(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.”~~
- ~~(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.~~
- ~~(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.~~



(1312) The term “may” is used in the permissive sense.

(1413) 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.

~~(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.”~~

(1614) The term “organization” shall mean a university-registered student organization which as complied with formal requirements of official registration.

(1715) 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.”

(1817) The terms “shall,” “must,” “will,” or “is required” specify a mandatory requirement of the code.

(1918) 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.”

(~~22~~3) 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.

(~~20~~23) The terms “university” or “institution” mean Youngstown state university and collectively those responsible for its operation.

(~~21~~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.

(~~22~~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.

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

(~~24~~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.”)

(2528) All other terms have their natural meaning unless the context otherwise dictates.

### **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.

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.

**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 15, 2016~~ June 14, 2017  
Next Review: 201920

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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, ~~administrator.~~

The student conduct administrator shall determine the composition of student conduct bodies and appellate ~~boards~~ 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 ~~his/her~~ 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.
  - (bc) 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’s 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, ~~and~~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 ~~and/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 ~~dishonesty~~integrity. ~~Academic dishonesty includes but is not limited to~~ Violations of academic integrity include:
- (a) Plagiarism, which includes ~~but is not limited to~~, the use by paraphrase or direct quotation of the published or unpublished work of another person without full and clear acknowledgement; ~~It also includes~~ 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, ~~such as~~ including working together on assignments or projects to an extent not permitted by the instructor.
- (f) Multiple submissions of the same work, ~~which includes but is not limited to:~~ including submitting the same or parts of the same assignment for multiple classes without permission from the instructor.
- (g) Fabrication of data, ~~which includes but is not limited to:~~ including presenting fictitious data relating to experiments, changing of data obtained from sources, and citing non-existent sources.
- (h) Bribes, threats, or intimidation ~~which include but are not limited to:~~ including exchange of payment for assignments or parts of assignments, and threats to entice others to engage in ~~academic dishonesty~~ violations of the academic integrity policy.
- (i) Impersonation, ~~which includes but is not limited to:~~ 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. ~~This which includes, but is not limited to:~~ 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.~~
  - ~~(b)c) Manufacturing, or distribution of alcoholic beverages to any person under twenty-one years of age except as permitted by law.~~
  - ~~(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.~~
- (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. ~~Abuse of the student conduct system, including but not limited to:~~

- (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 ~~system or a university investigation~~ 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 ~~and/or~~ after a student conduct proceeding.
  - (g) Failure to comply with the sanction(s) imposed by ~~a~~ the 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; ~~or aids, abets, or persuades another person to engage in such conduct.~~
- (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) ~~or the misuse of materials as an intoxicant, except as expressly permitted by law and/or under the direction of a licensed physician. No student shall sell or give drugs to any other person.~~

(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) ~~Non-academic~~ 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.~~

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

(db) 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.

(ec) 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.

(fd) 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").

- (ge) 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.
- (hf) Sex offenses. See Chapter 2907 of the Revised Code which defines “Sex Offenses” under Ohio law.
- ~~(i) Please see university’s “Sexual misconduct” policy (university policy 3356-2-03.1 and rule 3356-4-09 of the Administrative Code).~~
- (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) ~~or u~~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 ~~his/her~~their -prior knowledge or without ~~his/her~~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 ~~his-or~~her~~their~~ prior knowledge or consent, even if the ~~audio-or~~



~~video~~ 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) 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.~~

- (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" ~~alleging~~ by a student ~~and/or a student~~ group/organization ~~misconduct~~. The report shall be prepared in writing and directed to the office of student conduct ~~officer~~. 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 ~~his/her~~ 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. ~~before a hearing panel.~~

- (d) The standard of proof utilized in all university student conduct proceedings shall be a preponderance of evidence; ~~i.e., more likely than not that the alleged conduct occurred.~~ 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 ~~prohibited~~ student conduct section standards of “The Student Code of Conduct” will first be scheduled for a conduct conference with the ~~student~~ conduct officer-or deputy conduct officer assigned to review the allegation. The respondent (~~accused student~~) 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:
- (a) The specific charges pending against the respondent;
  - (b) A brief summary of the referral;
  - (c) Statement of rights and responsibilities; and
  - (d) If applicable, a statement notifying the respondent that the alleged conduct is significant enough that they may face suspension or expulsion if the charge is substantiated.
- (b) The conduct conference is the first step in ~~“The Student Code of Conduct”~~ 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 ~~student conduct~~ 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 ~~student~~ conduct officer will sanction the respondent as part of the conduct conference. The respondent will be asked to sign ~~the student~~ conduct agreement ~~form,~~ which will outline all of the sanctions offered to the ~~student~~respondent. While the student may sign the ~~form~~agreement immediately, they have up to three university working days to do so. The ~~student~~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 ~~form~~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 ~~student~~ conduct officer will ~~proceed to schedule a hearing for the student~~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 ~~staff member from the office of student conduct or housing and residence life who is presenting the information~~ conduct officer) may remain present the entire time, excluding deliberations.

- (b) Student conduct board hearings panels consist of three ~~are presided over by~~ members of the student conduct board. Each student conduct board hearing will have a hearing board 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 is assigned ~~may have~~ a hearing board 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 board panel advisor will also keep the proceedings focused on issues relevant to the specific allegations. The hearing board panel advisor ~~will not participate in a determination of a finding or sanction. However, the board advisor~~ may be summoned by ~~student conduct board member~~ the hearing panel during deliberations to answer questions ~~regarding the conduct process~~ and provide guidance as necessary.
- (4) Hearing procedures.
- (a) Guidelines.
    - (i) The chair ~~of the student conduct board~~ will explain the ~~respondent's~~ rights and responsibilities of the respondent and, ~~if applicable,~~ the complainant's ~~rights and responsibilities~~.
    - (ii) The chair and ~~(in conjunction with the board hearing panel~~ panel ~~advisor, if applicable), is 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 ~~(if applicable)~~ may ask for the removal of a ~~student conduct officer or deputy conduct officer~~ hearing panel member by providing written or verbal evidence of bias. ~~In cases before a hearing board,~~ The charge of bias is made to the chairperson who will determine whether it is valid. If the charge of bias is against the chairperson, the hearing board 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 ~~student~~ conduct officer may ask questions of any party at any time throughout the hearing.
  - (v) The chair and hearing panel advisor ~~is~~ are responsible for determining the relevancy of questions asked during a hearing. ~~The chair and~~ may deem certain questions irrelevant and not allow them to be answered. ~~In student conduct board hearings, the hearing board advisor may assist the chair in those determinations.~~
  - (vi) The chair may exclude persons from the hearing if they are disruptive or postpone the hearing because of disruptive behavior ~~of~~ 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 ~~ask the student conduct officer to briefly introduce themselves and explain why they have requested the hearing.~~ 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) ~~Following the introduction,~~ The student conduct officer will provide the student conduct board with explain why the case was referred for a hearing and will provide a detailed summary of the incident and, if applicable, any subsequent investigation undertaken.
  - (iii) If there is a complainant, they ~~complainant~~ will then have an opportunity to provide the ~~student conduct board~~ hearing panel with a summary of their role and perspective on the incident. The complainant may be represented by the ~~student~~ conduct officer.
  - (iv) ~~The student conduct board~~ 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. ~~The student conduct officer may question the respondent at this time.~~
  - (v) The ~~student~~ conduct officer will then present any relevant witnesses or documentary information, ~~to the student conduct board.~~ The ~~student conduct board,~~ respondent, and complainant ~~(if applicable)~~ 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 ~~student conduct board~~ hearing panel. The ~~student conduct board~~ hearing panel and the ~~student~~ conduct officer will each in turn have the opportunity to ask

questions regarding the information presented by the respondent to this point.

- (vii) The ~~student~~ conduct officer will have an opportunity to make a summary statement including any sanctioning recommendations.
  - (viii) The complainant, ~~if applicable,~~ will have an opportunity to make a summary statement including any sanctioning recommendations.
  - ~~(viii)~~ix) The respondent will have an opportunity to make a summary statement including any sanctioning recommendations.
- (d) Deliberation and finding.
- (i) The ~~student conduct board~~ hearing panel will go into closed session to determine by the preponderance of evidence whether the respondent will be found ~~in violation of~~ responsible for the charge(s) pending in this matter. Student conduct ~~boards~~ hearing panels determine findings by majority vote.
  - (ii) ~~The hearing will re-convene for the announcement of the finding. If the respondent is not found responsible for the violation, the case will be dismissed.~~ If the respondent is found responsible for a violation of one or more of the pending charges, the hearing 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.
- ~~(e) Sanctioning.~~
- ~~(i) The staff member from the office of student conduct will give an overview of the respondent's disciplinary history, if any.~~



- ~~(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 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.~~
- ~~(viii) The hearing will reconvene for the announcement of the findings and any subsequent sanction(s). In student conduct board hearings, the sanction(s) ~~is~~are recommended to the associate vice president for student experience or designee, who will make the final decision. While normally the ~~board's~~ recommendation will be the sanction imposed, the associate vice president for student experience or designee may impose a different sanction. ~~The associate vice president for student experience or designee will send the student written notification of the decision including all parties involved.~~~~
- (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 ~~of prohibited conduct~~ until found in violation by a preponderance of the evidence.
  - (~~viii~~ix) To speak or not speak on their own behalf.
  - (~~ix~~) 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 ~~that~~who participates as part of a hearing.
  - (xiii) The right to appeal.
  - (~~xiv~~ii) 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 ~~prohibited~~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 ~~his/her~~ their behalf.
- (6) Reasonable accommodation for students with disabilities. Any student with a disability involved in ~~this~~ 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 ~~but are not limited to~~-sign language interpretation, real-time communication access during hearings, large print documents, extended time to review documents, or assistance with transcribing questions during interviews or hearings.
- (7) Sanctions. If the student ~~and/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 ~~accused student or group/organization~~ respondent. The notification will be ~~provided by personal delivery, or by certified or regular U.S. mail delivery~~ sent to the ~~accused student or group/organization~~. ~~Notification will also be sent to the accused student’s~~ respondent’s official university email ~~address~~ 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 ~~the~~ a student conduct ~~officer~~ body may be appealed in writing. ~~(See pursuant to paragraph (E) (9) of this policy.)~~ If the ~~individual~~ respondent files a ~~written letter of request for appeal with the student conduct~~

~~administrator~~, 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 ~~student~~respondent.

- (a) The following sanctions may be imposed upon any student ~~that~~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 ~~a~~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 ~~more severe student conduct action~~increased sanctioning. ~~A warning will remain in effect for a period not to exceed one academic year.~~
- (ii) Conduct probation. Notice in writing that the violation of “The Student Code of Conduct” is serious, ~~flagrant, or a repeated violation of policy~~ and ~~a warning~~ that any subsequent violation(s) of university regulations may result in imposition of additional restrictions or conditions, suspension or expulsion ~~and/or imposition of restrictions or conditions consistent with the offense committed and the rehabilitation of the student.~~
- (iii) Conduct probation with restrictions. Notice in writing that the violation of university regulations is a serious, ~~flagrant, or repeated violation,~~ and ~~a warning~~ 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 ~~and/or~~ monetary or material ~~replacement~~ replacement, ~~and may be required in addition to other sanctions as described in this section.~~
- (v) ~~Academic/developmental~~ Educational sanctions. Other sanctions may be imposed instead of, or in addition to, those specified above. These may include, e.g., 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 ~~(not to exceed one academic year)~~ 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. ~~Additional sanctions appropriate to the new violation may also be issued.~~
- (vii) Residence hall suspension. Separation of the student from the residence halls for a specified period of time ~~(not to exceed one academic year)~~; 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 ~~(not to exceed one academic year)~~; 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 ~~the right to participate in any academic or university activities on a permanent basis~~ 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/~~or~~ 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 ~~and/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 ~~recommending sanctions to the hearing panel and for~~ ensuring that sanctions imposed by ~~the~~ 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 ~~before the student conduct body, this includes including but not limited to~~-university or residence hall suspension,
- (a) Interim ~~suspension~~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 ~~student~~respondent's own physical or emotional safety and well-being;

- (iii) If the ~~student~~respondent poses a threat of disruption or interference with the normal operations of the university; or
  - (iv) If ~~a student~~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 suspension 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 suspension the interim measure. The ~~student~~respondent -will also be notified ~~by email to~~via their ~~current~~official university email address. The interim suspension 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) ~~During~~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 ~~accused student or group/ organization~~ respondent or complainant (“the appellant”) within ~~seven~~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 emailed or delivered to the office of student conduct. The ~~letter of 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 an request for appeal ~~request~~ 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. ~~filing the appeal.~~
- (d) ~~Appeals~~ Appellate hearings are not a re-hearing of the student conduct case. Except as required to explain the basis of new evidence, an ~~appeal~~ 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 ~~accused student or group/organization~~ 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 ~~student or group/organization~~ respondent was found ~~to have committed~~ responsible.
  - (iv) A claim that there is new information, sufficient to alter a decision or other relevant facts not brought

~~out~~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) ~~Appeals of decisions or sanctions imposed~~A request for appeal in a case adjudicated by a conduct officer will be reviewed by the student conduct administrator. ~~Appeals of decisions by a~~A request for appeal in a case adjudicated by a student conduct board hearing panel will be reviewed by an appellate ~~board~~hearing panel. An appellate ~~board~~hearing panel is composed of three members from the student conduct board selected by the student conduct administrator. ~~who will review the appeal.~~
- (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.
- (gh) The appellate ~~board~~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.
- (hi) If an appellate ~~board~~hearing panel or student conduct administrator determines that ~~an~~ request for appeal has met the grounds, the following options are available:
  - (i) The case may be remanded for reconsideration.
  - (ii) The ~~appeals~~appellate student conduct body may reverse the finding of responsibility in whole or in part.

- (iii) The ~~appeals~~appellate student conduct body may uphold, reduce, or increase the sanctions.
  - (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.~~The appeals body may dismiss the appeal if the appeal is not based upon one of the grounds listed above in this policy.~~
  - ~~(v) The appeals body may deny the appeal.~~
  - (j) The decision of the appellate ~~board~~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 ~~misconduct cases originating within~~ 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 ~~houses~~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 ~~house~~hall for ~~misconduct~~alleged violations of policy within the residence ~~house~~hall, campus dining facilities, or at any residence ~~house~~hall function.
  - (c) Upon receipt of a written report, the ~~deputy~~ conduct officer will conduct an investigation to determine whether there is ~~a~~ reasonable cause to believe that a violation of “The Student Code of Conduct” may have occurred. If ~~so~~, 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 ~~the exception of~~ residence hall expulsions, university suspension, ~~of a student, and~~ 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. ~~University expulsion and university suspension of a student organization conduct records shall be kept indefinitely.~~ Upon graduation, the student may petition the student conduct ~~administrator~~officer for removal of all files contained in ~~his or her~~their student conduct records. The student may appeal a negative response of the student conduct officer ~~and/or the student conduct board to~~ the student conduct administrator.
- (b) Records regarding university expulsion or university suspension of a student group/organization shall be kept indefinitely.
- ~~(bc)~~ All material gathered from a substantiated conduct case (residence ~~house~~hall, academic, and other) shall become part of any new case against the same ~~individual(s)~~ respondent(s) after the new charges have been substantiated.
- ~~(ed)~~ Student conduct records are maintained only in the names of ~~students~~respondents ~~found responsible for violations of university policy, local, state or federal law, to have violated regulations.~~ 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 ~~dispose~~adjudicate of 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 ~~dishonesty integrity violation~~ and student academic grievance procedures.

~~(1) Academic dishonesty-~~ 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 ~~of~~for maintaining high standards of honesty and ethical practice. Cheating, plagiarism, and other forms of academic dishonesty constitute a serious violation of university ~~conduct regulations~~policy, as outlined in ARTICLE III of this document.

Students should consult with the faculty member if they are not sure what may constitutes a violation of the academic ~~dishonesty~~integrity policy.

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

(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.

(a2) ~~Identification of a~~ Academic dishonesty integrity conference.

(ia) After the faculty member has gathered evidence ~~supporting academic dishonesty~~ 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.

(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.

- ~~(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.~~

- ~~(e) 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.~~
- ~~(iii) During the academic integrity conference, the faculty member shall discuss the allegations with the student and determine whether the student is responsible.~~
- ~~(a) If the faculty member determines that the student is not responsible, no further action is warranted.~~
- ~~(b) If the faculty member concludes that the student is responsible, the faculty member shall determine the sanction to be imposed (see paragraph (F)(3) of this policy) and complete the academic integrity form. While the student may sign the form immediately, he/she has up to three university working days to do so. The student has the option to accept the charge but contest the sanction or agree to both the charge and the sanction. Once the form is signed, the decision is final and there is no appeal process.~~
- ~~(c) If the student signs the academic integrity form, acknowledging the incident and the~~

sanction, then no committee action is required unless the recommendation is suspension or expulsion.

(i) The student will return the form to the faculty member.

(ii) In turn, the faculty member will forward the form to the departmental chairperson for signature acknowledging the case has been brought to the chair's attention.

(iii) The chairperson will then forward the form to the dean for signature acknowledging the case has been brought to the dean's attention.

(iv) 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) Regardless of whether the academic integrity form is signed, in situations where suspension or expulsion from the university is recommended by the faculty member, the case will immediately be sent to the student conduct office and forwarded to the judicial chair to initiate a panel hearing. A representative from the student conduct office must be present at all university suspension and expulsion hearings to serve in an advisory capacity.

- (24) Academic ~~integrity hearing panel structure. The academic integrity panel shall consist of~~ 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. ~~A seventh faculty member shall be selected by the graduate council to represent the graduate college.~~ 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 ~~S~~ student members are appointed by the associate vice president for student experiences and serve a two-year term. ~~In addition, six (6) G~~graduate students ~~may (preferably one from each college) will be appointed by the graduate council to hear cases involving graduate students. to a one-year term.~~
    - (i) Students must complete an application available ~~at the student experience~~ through the office of student conduct.
    - (ii) ~~Two~~ One undergraduate student members, ~~one undergraduate and one graduate, are~~ 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 ~~judicial student conduct~~ record.

(v) Students should be sophomore status or above.

~~(vi) A graduate student shall be appointed by the dean of the graduate college.~~

(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.
- (39) Sanctions. ~~If the faculty member concludes that the student was responsible, they may impose a sanction which may include but is not limited to one of the following:~~ 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) ~~Warn the student~~ Issue an official warning;
- (b) Lowering the grade on the exam, paper ~~and/or the assignment related to the incident;~~ in question.
- (c) Lowering the final grade for the course ~~;~~ and/or
- (d) Requesting additional action from the ~~student~~ academic grievance subcommittee, ~~such as~~ 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.
- (410) Role of the student conduct administrator (“SCA”) ~~;~~ in matters of academic dishonesty. 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, ~~with the exception of expulsion, after seven years. Please note that if within seven years another institution, as a result of the student transferring or applying to graduate school, requests a copy of the student disciplinary record, these records may be revealed~~ as outlined in this policy.
- (c) In ~~instances~~ cases where the academic integrity form is completed by all parties, signed, the SCA- 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 ~~instances~~ cases where the student has already been found responsible for a previous ~~has one prior~~ academic dishonesty offense, integrity violation, any additional ~~offenses~~ violation ~~will constitute a violation of "The Student Code of Conduct" and will require the student to undergo a student code of conduct hearing through the office of student conduct~~ result in a review of all cases by the office of student conduct for possible additional charges and sanctioning .

~~(5) — Academic integrity hearing procedures.~~

- ~~(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 and any evidence they would like to be considered in the case. The student will have five university working days to submit the statement and evidence 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 evidence produced by the student and/or faculty member to the academic grievance subcommittee, 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 evidence produced by the student and/or faculty member, chairperson or dean combined are considered to be the academic Integrity packet.~~

- ~~(d) — A hearing date, time, and location for the academic integrity hearing will be established by the judicial chair. Academic grievance subcommittee members shall have a minimum of three days to review all written materials in the academic integrity packet submitted by the affected parties. The academic integrity hearing notice shall be sent to the parties directly involved in the grievance procedure, except advisors and witnesses. Parties directly involved in the academic integrity procedure:~~
- ~~(i) — Faculty/student. The party who files the academic integrity form and the party against whom the claim of academic dishonesty is filed. 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 during the grievance hearing but will not remain in the room throughout the hearing.~~
  - ~~(iii) — Dean. The dean of the college in which the faculty member's department is housed. The dean's attendance is optional. If the dean is in attendance, they will be brought in to speak during the~~



~~grievance hearing but will not remain in the room throughout the hearing.~~

~~(iv) Academic integrity hearing panel. Derived from the membership of the student academic grievance subcommittee of the academic senate. At minimum, it consists of three faculty members, three undergraduate students, and the judicial chair. This panel conducts the formal hearing and renders a decision.~~

~~(v) Advisors. The student and the faculty member may avail themselves of the services of an advisor throughout the academic integrity process. Such an advisor may be drawn from within or outside the university community. Advisors may not present testimony or speak on behalf of the respondent. They are permitted, however, to give notes or whisper instructions/advice to the student or faculty member involved. Examples of advisors include a parent, attorney, clergy, other faculty member, or coach. The advisor may not be the chairperson or dean for the faculty member or student. In situations where a graduate assistant is considered the instructor of record, the chairperson may serve as an advisor and stay throughout 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 that presents repetitive testimony may be limited.~~

~~(vii) No member of an academic integrity hearing panel will hear a case directly involving him/her.~~

~~(e) During the hearing:~~

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

- ~~(a) — The right to be present; the right to be accompanied by an advisor of their choice;~~
- ~~(b) — The right to speak in support of their argument;~~
- ~~(c) — The right to bring witnesses in support of their case;~~
- ~~(d) — The right to present information directly supporting their written items in the academic integrity packet, including oral testimony; and~~
- ~~(e) — The right to refute information presented.~~
- ~~(ii) — The judicial chair has the right to limit the amount of time testimony is presented by any given individual; remove disruptive individuals from the room; ensure that only the members of the academic integrity hearing panel, student, and faculty member are present in the room; ensure that all witnesses remain outside the hearing room and are brought in and dismissed after their testimony is presented.~~
- ~~(f) — After the hearing.~~
  - ~~(i) — The academic integrity hearing panel shall meet in closed session to review the information presented and reach a decision. The panel shall vote using secret ballots tallied by the judicial chair. The judicial chair will only vote in circumstances of a tie among the panel.~~
  - ~~(ii) — After the academic integrity hearing panel has determined that the student is guilty of academic dishonesty, the panel may consider previous resolved cases (on file with the student conduct office) involving the student when assigning an appropriate sanction.~~

- ~~(g) Documentation of academic integrity hearing panel's decision:~~
- ~~(i) Both parties shall be informed of the academic integrity hearing panel's decision in writing as soon as reasonably possible. 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 academic integrity procedure, except advisors and witnesses within three university working days.~~
  - ~~(ii) The forwarding of the written statement of the academic integrity hearing panel's decision ends the student academic grievance subcommittee's involvement in the disposition of the violation.~~
  - ~~(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 committee ruling 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, then the provost will sign off on the grade change form.~~
- ~~(h) At the discretion of the judicial chair, the timeline stated above may be extended.~~
- ~~(i) Appeals:~~
- ~~(i) Only students may appeal the decision of the academic integrity hearing panel regarding academic dishonesty. The appeal can only be based on procedural violations and must be submitted within five university working days from the date the academic integrity hearing panel's decision was~~

~~made. The request for an appeal is submitted in writing to the judicial chair.~~

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

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

~~(b) If the academic senate executive committee determines that procedural violations may have occurred and were potentially substantive, the case will be referred to a three-person committee made of one student and two faculty members to hear the case. This will take place within twelve university working days of receipt of the written appeal. The decision reached by this committee is final and may not be appealed.~~

~~(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.~~

~~(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.~~

(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 ~~that~~who may be a threat to the safety and security of the student body ~~and~~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, ~~he/she~~ 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 ~~student~~ 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 ~~person~~ suspended 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, ~~he or she~~ 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, ~~he/she~~ they will be ~~dismissed~~ suspended from Youngstown state university for the period of one year. The student will receive a written notice of the ~~dismissal~~ 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 ~~under~~ 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 ~~person~~ student whose suspension is being considered, given at the hearing, shall not subsequently be used in any criminal proceeding against the ~~person~~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 ~~that~~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 ~~conduct regulations~~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 drug or alcohol~~violations 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 ~~his/her~~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 ~~other~~ drugs 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 ~~his/her~~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 terms “accused student” or “respondent” shall mean any student accused of violating “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 ~~board~~hearing panel” shall mean any person or persons authorized on a case-by-case basis by the student conduct administrator to consider ~~an~~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.”
- (56) 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.
- (67) 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.
- (78) 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.
- (89) 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.

- (9) ~~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.”~~
- (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.”~~
- (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.~~
- (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.~~
- (13) The term “may” is used in the permissive sense.
- (14) 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.
- (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.”~~
- (16) The term “organization” shall mean a university-registered student organization which has complied with formal requirements of official registration.
- (17) 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.”

~~(18)~~ (17) The terms “shall,” “must,” “will,” or “is required” specify a mandatory requirement of the code.

~~(19)~~ (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.”

- (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.
- ~~(20)~~23) The terms “university” or “institution” mean Youngstown state university and collectively those responsible for its operation.
- ~~(21)~~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.
- ~~(22)~~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.
- ~~(23)~~26) The term “university working day” refers to any day of the week excluding Saturdays, Sundays, or official holidays.
- ~~(24)~~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.”)
- ~~(25)~~28) All other terms have their natural meaning unless the context otherwise dictates.

**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 **B** attached hereto.

**3356-10-09 Adjunct faculty.**

~~Previous Policy Number: 1009.01~~

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 ~~Quality~~ and Student Success

**Effective Date:** ~~December 14, 2011~~ September 7, 2017

Next Review: 201622

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- (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.
- (C) Parameters.
- (1) Designation as Aadjunct faculty ~~have~~includes no regular teaching assignments in the university ~~and are not~~ nor compensated 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. Typically, adjunct faculty are appointed annually by the provost/vice president for academic affairs. Under certain circumstances, the provost/vice president for academic affairs may extend an appointment to three years when appropriate justification is provided.

**Agenda Item H.1.c  
Exhibit B**



- (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.**

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

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- (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.
- (C) Parameters.
- (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-**

**Agenda Item H.1.d**

## **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.

**RESOLUTION TO RESCIND POLICIES 3356-5-05, 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 C attached hereto.

**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

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- (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;

**Agenda Item H.1.e  
Exhibit C**

- (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.

**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

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- (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

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- (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.



**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. Krodel, 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.

**Agenda Item H.1.f  
Support Material**

- 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

<b>YSU 6-year graduation rate by race</b>				
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%

<b>6-year graduation rates of YSU benchmark institutions</b>		
YSU Benchmark Institutions	6-year graduation rate	
	White students	African American/ Black
<b>Youngstown State University</b>	<b>36.6%</b>	<b>8.3%</b>
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%
<b>Average of all institutions</b>	<b>37.4%</b>	<b>26%</b>

Source: IPEDS 2009 cohort data

**DIVIDER**

**INSTITUTIONAL ENGAGEMENT  
COMMITTEE**

**RESOLUTION TO ACCEPT ALUMNI ENGAGEMENT AND WYSU  
MEMBERSHIPS**

**WHEREAS**, Board policy provides that the President shall compile a list of memberships to the University for each meeting of the Board of Trustees and present the list accompanied by his recommendation for action by the Board; and

**WHEREAS**, the President has reported that the memberships as listed in Exhibit **D** attached hereto are being held pending acceptance and he recommends their acceptance;

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Trustees does hereby accept these memberships on behalf of Youngstown State University and requests that the President acknowledge the acceptance of these memberships.



**UNIVERSITY MEMBERSHIPS  
EXECUTIVE SUMMARY  
Fiscal Year 2015-2016  
July 1, 2015-June 30, 2016**

<b>Memberships Received</b>	<b>Number of Members</b>	<b>Amount</b>
Alumni Relations	1,571	\$ 82,470
WYSU-FM	1,760	\$ 265,698
<b>Total University Members</b>	<b>3,331</b>	<b>\$ 348,168</b>



# **DIVIDER**

## **FINANCE & FACILITIES COMMITTEE**

**RESOLUTION TO MODIFY  
UNIVERSITY CONSTRUCTION/RENOVATION PROJECTS POLICY,  
3356-4-15**

**WHEREAS**, University Policies are 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; and

**WHEREAS**, the University Construction/Renovation Projects 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 the University Policy University Construction/Renovation Projects, policy number 3356-4-15, shown as Exhibit E attached hereto. A copy of the policy indicating changes to be made is also attached.

**3356-4-15 University construction/renovation projects.**

~~Previous Policy Number: 4013.01 (new)~~  
Responsible Division/Office: ~~Finance and Administration~~ Facilities, Maintenance and Support Services  
Responsible Officer: Vice President for Finance ~~Administration~~ and Business Operations  
Revision History: February 2012; June 2012; September 2017  
Board Committee: Finance and Facilities  
**Effective Date:** ~~June 13, 2012~~ September 7, 2017  
Next Review: ~~2017~~ 22

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- (A) Policy statement. No interior or exterior design, construction, or renovation project for any Youngstown state university (university) owned property may be initiated without the evaluation and approval of the department of facilities, maintenance and support services.
- (~~AB~~) Purpose ~~policy statement.~~ This policy is intended to ensure that university construction/ renovation projects ~~across campus~~ are ~~reviewed~~ evaluated and approved by the department of facilities, maintenance and support services for purpose, code review, material, and constructability ~~and receive approval from the department of university facilities~~ prior to project commencement.
- (C) Scope. This policy applies to all university owned buildings and to work performed by university employees, outside consultants and contractors.
- (~~BD~~) Definition. A “eConstruction/renovation” projects (hereinafter referred to collectively as a project or projects) can be defined as but not limited to the following:
- (1) Painting of walls, floors, doors, and ceilings.
  - (2) Removal/installation of carpet, tile, wood or other floor finishes.
  - (3) Removal/installation of walls/framing.
  - (4) Removal/installation of ceilings and ceiling systems.

**Agenda Item H.3.a  
Exhibit E**

- (45) Removal/installation of lighting/ and electrical equipment/components and electrical elements.
  - (56) Removal/installation of plumbing fixtures and fluid piping.
  - (67) Removal/installation of windows or window treatments.
  - (78) Removal/installation of doors, door openers, and ~~or~~ door hardware.
  - (89) Removal/installation of HVAC/mechanical equipment.
  - (910) Removal/installation of concrete structures (steps, walls, walks).
  - (11) Removal/installation of landscape and hardscape elements.
  - (12) Removal/installation of masonry elements and tuck-pointing.
  - (13) Removal/installation of track coatings/surfaces and synthetic turf.
  - (14) Installation of parking lots/facilities/structures and/or parking lot lighting.
  - (15) Removal/installation of roofing and roofing systems.
  - (16) Removal/installation of interior/exterior campus signage and message boards.
  - (17) Removal/installation of fencing and fencing materials.
  - (18) Construction of sheds, barns and outbuildings.
- (E) Parameters.
- (1) The department of facilities, maintenance and support services must be notified of, evaluate, approve, estimate costs and develop schedules and timelines of any proposed university construction/renovation project. ~~Before any work can begin, a construction/renovation project from any department in any building, for any reason, will be brought to the attention of and evaluated by university facilities. Under no circumstances shall a department hire a consultant or contractor to perform any construction/renovation project without first going through university facilities for evaluation and approval.~~

- (2) The evaluation will be a constructability review determining the feasibility of the project, code review, probable costs and the impact on the building. After evaluation, a determination will be made as to who can safely, and per university standards, manage construction. A determination will also be made as to who can physically perform the work (Youngstown state university crafts, outside contractors, or the requesting department's staff) and when the work can be scheduled.
- (3) All contracts for construction/renovation and architect/engineering design services will originate from ~~university~~ the department of facilities, maintenance and support services. ~~along with associated purchase orders.~~ Purchase orders will originate from the requesting department following evaluation and ~~upon~~ approval by ~~university~~ the department of facilities, maintenance and support services. No university department or entity shall consult or contract with a consultant, architect, engineer, or contractor for the purposes of a construction/renovation project without approval of the department of facilities, maintenance and support services.
- (4) The requesting department, office or unit must obtain a signature from ~~university facilities~~ the department of facilities, maintenance and support services (located on the professional services agreement) authorizing any construction/renovation project. No work will be started without a signed contract and purchase order.

**3356-4-15 University construction/renovation projects.**

Responsible Division/Office: Facilities, Maintenance and Support Services  
Responsible Officer: Vice President for Finance and Business  
Operations  
Revision History: February 2012; June 2012; September 2017  
Board Committee: Finance and Facilities  
**Effective Date: September 7, 2017**  
Next Review: 2022

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- (A) Policy statement. No interior or exterior design, construction, or renovation project for any Youngstown state university (university) owned property may be initiated without the evaluation and approval of the department of facilities, maintenance and support services.
- (B) Purpose. This policy is intended to ensure that university construction/renovation projects are evaluated and approved by the department of facilities, maintenance and support services for purpose, code review, material, and constructability prior to project commencement.
- (C) Scope. This policy applies to all university owned buildings and to work performed by university employees, outside consultants and contractors.
- (D) Definition. Construction/renovation projects (hereinafter referred to collectively as a project or projects) can be defined as but not limited to the following:
  - (1) Painting of walls, floors, doors, and ceilings.
  - (2) Removal/installation of carpet, tile, wood or other floor finishes.
  - (3) Removal/installation of walls/framing.
  - (4) Removal/installation of ceilings and ceiling systems.
  - (5) Removal/installation of lighting and electrical equipment/components and electrical elements.
  - (6) Removal/installation of plumbing fixtures and fluid piping.

- (7) Removal/installation of windows or window treatments.
  - (8) Removal/installation of doors, door openers, and door hardware.
  - (9) Removal/installation of HVAC/mechanical equipment.
  - (10) Removal/installation of concrete structures (steps, walls, walks).
  - (11) Removal/installation of landscape and hardscape elements.
  - (12) Removal/installation of masonry elements and tuck-pointing.
  - (13) Removal/installation of track coatings/surfaces and synthetic turf.
  - (14) Installation of parking lots/facilities/structures and/or parking lot lighting.
  - (15) Removal/installation of roofing and roofing systems.
  - (16) Removal/installation of interior/exterior campus signage and message boards.
  - (17) Removal/installation of fencing and fencing materials.
  - (18) Construction of sheds, barns and outbuildings.
- (E) Parameters.
- (1) The department of facilities, maintenance and support services must be notified of, evaluate, approve, estimate costs and develop schedules and timelines of any proposed university construction/renovation project.
  - (2) The evaluation will be a constructability review determining the feasibility of the project, code review, probable costs and the impact on the building. After evaluation, a determination will be made as to who can safely, and per university standards, manage construction. A determination will also be made as to who can physically perform the work (Youngstown state university crafts, outside contractors, or the requesting department's staff) and when

the work can be scheduled.

- (3) All contracts for construction/renovation and architect/engineering design services will originate from the department of facilities, maintenance and support services. Purchase orders will originate from the requesting department following evaluation and approval by the department of facilities, maintenance and support services. No university department or entity shall consult or contract with a consultant, architect, engineer, or contractor for the purposes of a construction/renovation project without approval of the department of facilities, maintenance and support services.
- (4) The requesting department, office or unit must obtain a signature from the department of facilities, maintenance and support services (located on the professional services agreement) authorizing any construction/renovation project. No work will be started without a signed contract and purchase order.



**RESOLUTION TO MODIFY  
KEY CONTROL POLICY,  
3356-4-16**

**WHEREAS**, University Policies are 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; and

**WHEREAS**, the Key Control 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 the University Policy Key Control, policy number 3356-4-16, shown as Exhibit F attached hereto. A copy of the policy indicating changes to be made is also attached.

3356-4-16 Key control.

~~Previous Policy Number: 4014.01 (new)~~

Responsible Division/Office: ~~Finance and Administration~~ Facilities, Maintenance and Support Services

Responsible Officer: Vice President for Finance and ~~Administration~~ Business Operations

Revision History: June 2012; September 2017

Board Committee: ~~University Affairs~~ Finance and Facilities

**Effective Date:** ~~June 13, 2012~~ September 7, 2017

Next Review: ~~2017~~ 22

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(A) Policy statement. ~~The~~ Youngstown state university (university) enacts and enforces key control procedures that provide appropriate members of the university's faculty, staff, and students with necessary access to its facilities and at the same time keep all members of the university community, the university's guests, and the university's physical resources secure. This policy addresses responsibilities of key holders and their supervisors.

(B) Scope. This policy applies to all employees including part-time and student employees, students, vendors and contractors provided a key to access university controlled areas. This policy does not apply to the issuance of keys within residential housing or dining services.

(B)C Definitions.

(1) ~~A "Lock" is a~~ A mechanical or electronic system or device that restricts access to a physical space or to a service.

(2) ~~A "Key" is defined as a~~ A method of access to a secured or restricted area. It may be a physical item that works in a mechanical or electronic combination with a lock or it may be a code or biometric input to a recognition system that provides the holder access to a secured or restricted area.

(3) Key holder. The individual to whom a key is issued.

(~~E~~D) Parameters. While technology may stretch the definitions of a lock and a key, the policy and its regulations nevertheless apply to the technical ~~analog~~equivalents of physical keys and locks.

- (1) All keys are the property of ~~Youngstown state~~-university ("~~YSU~~");.
- (2) Keys are ~~given~~issued to an ~~employee~~ key holder for the necessary execution of their job duties, and must be returned to the employee's supervisor upon separation of employment or transfer to another department. One month prior to separation or transfer, the employee's supervisor shall provide a list of the employee's key numbers to facilities, maintenance and support services (key control/locksmith office) for verification. Collected keys shall be returned to the key control/locksmith office.
- (~~23~~) It is the responsibility of the key holder to safeguard the key at all times. If the key holder cannot account for keys issued, key privileges may be suspended and the key holder may be personally responsible for any necessary key and/or lock replacement costs.
- (~~34~~) Misuse of a key may result in disciplinary action and/or loss of access privilege.
- (~~45~~) Lost or stolen keys should immediately be reported to:
  - (a) University ~~YSU~~-police,
  - (b) ~~Key control (f~~The department of facilities maintenance & support services)), and
  - (c) The key holder's supervisor.

If lost keys are not recovered and it is determined that the area's security is severely compromised, charges for lock and/or key replacement will be assessed to the key holder's department and/or the key holder. Lost keys that are later recovered must be returned to key control.

- (~~56~~) If keys are found or otherwise to be turned in, call ~~K~~key ~~C~~ontrol/locksmith office or the university ~~YSU~~ police for pickup. Keys are not to be sent through campus mail.
- (~~67~~) ~~Those i~~Individuals ~~issued physical keys must~~ may not knowingly make or cause to be made any key for any university building, laboratory, facility, or room ~~not have keys duplicated~~-under

penalty of state law, (see [Revised Code](#) sections 3345.13 and 3345.99).~~of the Revised Code.~~

- (78) Access codes are specifically issued to an individual and ~~should~~may not be shared.
- (89) Rights of access to facilities may be delineated in appropriate collective bargaining agreements.

~~(9) — This policy does not apply to the issuance of keys within housing or dining services.~~

(DE) Key hierarchy. Each individuals and/or employee's roles and responsibilities govern the need for and distribution of types of keys. In general, the greater the level of access that a key type provides, the more restrictive its distribution and the more it defines urgency of use. The following is used as a guide to assign types of levels of keys to functions and roles:

- (1) A great grand master key operates multiple locks for multiple buildings. It is typically assigned to the leadership of first-responder units on campus, such as executive director of facilities and support services; director of facilities maintenance; chief of the university ~~YSU~~ police department and designated officers; and director of environmental and occupational health and safety.
- (2) A building master key operates all locks within a building unless specific lock exclusion from the master is warranted. It is typically assigned to vice presidents, executive directors and/or deans, or the designees of these executives, in their respective buildings, authorized facilities maintenance personnel, janitorial supervisors, and the university ~~YSU~~ events manager.
- (3) A departmental master key operates one group of locks within a building. It is typically assigned to department heads and/or chairpersons.
- (4) A departmental sub-master key operates locks to common departmental space but excludes access to private offices and is usually assigned to faculty and staff in a department.
- (5) A change key operates one specific lock. It is typically assigned to faculty and staff designated by department heads and/or chairpersons and organizations with contractual agreements.

- (6) A special purpose master key operates a group of locks in specific areas, such as all mechanical rooms or exterior doors. It is typically assigned to authorized personnel in facilities maintenance and safety services.

(~~F~~E) Responsibilities.

- (1) Implementation and enforcement of this policy is assigned to the department of facilities maintenance and support services~~department~~.
- (2) Administrators and managers are responsible for compliance with this policy within their areas of organizational responsibility.
- (3) Individuals to whom a key has been assigned are responsible for ensuring that the use of that key is limited to the necessary conduct of university business and is not shared with other employees, friends, or relatives.
- (4) Key holders unlocking a space are responsible for ensuring that the space is appropriately locked when they vacate the space during a time when the space should be locked. Failure to do so may find the individual personally responsible for any damage to, or loss of, university property due to the space left unsecured.

(~~G~~F) Keys for vendors or contractors.

- (1) Contractors or vendors must abide by all aspects of this policy.
- (2) Contractors or vendors may check out keys for a day from facilities or the university~~Key-Control-or-YSU~~ police. Such key(s) must be returned by the specified time on the same day.
- (3) Contractors or vendors may apply to facilities~~make application from Key-Control~~ for keys to specified spaces for a designated extended period of time. If access is requested for nonbusiness hours, vendors or contractors must notify the university~~YSU~~ police before entering and upon leaving key-controlled spaces.
- (4) Contractors or vendors are not permitted to access occupied student resident spaces without accompaniment of a university employee.

**3356-4-16 Key control.**

Responsible Division/Office: Facilities, Maintenance and Support Services  
Responsible Officer: Vice President for Finance and Business  
Operations  
Revision History: June 2012; September 2017  
Board Committee: Finance and Facilities  
**Effective Date: September 7, 2017**  
Next Review: 2022

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- (A) Policy statement. Youngstown state university (university) enacts and enforces key control procedures that provide appropriate members of the university's faculty, staff, and students with necessary access to its facilities and at the same time keep all members of the university community, the university's guests, and the university's physical resources secure. This policy addresses responsibilities of key holders and their supervisors.
- (B) Scope. This policy applies to all employees including part-time and student employees, students, vendors and contractors provided a key to access university controlled areas. This policy does not apply to the issuance of keys within residential housing or dining services.
- (C) Definitions.
- (1) Lock. A mechanical or electronic system or device that restricts access to a physical space or to a service.
  - (2) Key. A method of access to a secured or restricted area. It may be a physical item that works in a mechanical or electronic combination with a lock or it may be a code or biometric input to a recognition system that provides the holder access to a secured or restricted area.
  - (3) Key holder. The individual to whom a key is issued.
- (D) Parameters. While technology may stretch the definitions of a lock and a key, the policy and its regulations nevertheless apply to the technical equivalents of physical keys and locks.

- (1) All keys are the property of university.
- (2) Keys are issued to a key holder for the necessary execution of their job duties, and must be returned to the employee's supervisor upon separation of employment or transfer to another department. One month prior to separation or transfer, the employee's supervisor shall provide a list of the employee's key numbers to facilities, maintenance and support services (key control/locksmith office) for verification. Collected keys shall be returned to the key control/locksmith office.
- (3) It is the responsibility of the key holder to safeguard the key at all times. If the key holder cannot account for keys issued, key privileges may be suspended and the key holder may be personally responsible for any necessary key and/or lock replacement costs.
- (4) Misuse of a key may result in disciplinary action and/or loss of access privilege.
- (5) Lost or stolen keys should immediately be reported to:
  - (a) University police,
  - (b) The department of facilities maintenance & support services), and
  - (c) The key holder's supervisor.

If lost keys are not recovered and it is determined that the area's security is severely compromised, charges for lock and/or key replacement will be assessed to the key holder's department and/or the key holder. Lost keys that are later recovered must be returned to key control.

- (6) If keys are found or otherwise to be turned in, call facilities or the university police for pickup. Keys are not to be sent through campus mail.
- (7) Individuals may not knowingly make or cause to be made any key for any university building, laboratory, facility, or room under

penalty of state law, (see Revised Code sections 3345.13 and 3345.99).

- (8) Access codes are specifically issued to an individual and may not be shared.
  - (9) Rights of access to facilities may be delineated in appropriate collective bargaining agreements.
- (E) Key hierarchy. Each individuals and/or employee's roles and responsibilities govern the need for and distribution of types of keys. In general, the greater the level of access that a key type provides, the more restrictive its distribution and the more it defines urgency of use. The following is used as a guide to assign types of levels of keys to functions and roles:
- (1) A great grand master key operates multiple locks for multiple buildings. It is typically assigned to the leadership of first-responder units on campus, such as executive director of facilities and support services; director of facilities maintenance; chief of the university police department and designated officers; and director of environmental and occupational health and safety.
  - (2) A building master key operates all locks within a building unless specific lock exclusion from the master is warranted. It is typically assigned to vice presidents, executive directors and/or deans, or the designees of these executives, in their respective buildings, authorized facilities maintenance personnel, janitorial supervisors, and the university events manager.
  - (3) A departmental master key operates one group of locks within a building. It is typically assigned to department heads and/or chairpersons.
  - (4) A departmental sub-master key operates locks to common departmental space but excludes access to private offices and is usually assigned to faculty and staff in a department.
  - (5) A change key operates one specific lock. It is typically assigned to faculty and staff designated by department heads and/or chairpersons and organizations with contractual agreements.



- (6) A special purpose master key operates a group of locks in specific areas, such as all mechanical rooms or exterior doors. It is typically assigned to authorized personnel in facilities maintenance and safety services.

(F) Responsibilities.

- (1) Implementation and enforcement of this policy is assigned to the department of facilities maintenance and support services.
- (2) Administrators and managers are responsible for compliance with this policy within their areas of organizational responsibility.
- (3) Individuals to whom a key has been assigned are responsible for ensuring that the use of that key is limited to the necessary conduct of university business and is not shared with other employees, friends, or relatives.
- (4) Key holders unlocking a space are responsible for ensuring that the space is appropriately locked when they vacate the space during a time when the space should be locked. Failure to do so may find the individual personally responsible for any damage to, or loss of, university property due to the space left unsecured.

(G) Keys for vendors or contractors.

- (1) Contractors or vendors must abide by all aspects of this policy.
- (2) Contractors or vendors may check out keys for a day from facilities or the university police. Such key(s) must be returned by the specified time on the same day.
- (3) Contractors or vendors may apply to facilities for keys to specified spaces for a designated extended period of time. If access is requested for nonbusiness hours, vendors or contractors must notify the university police before entering and upon leaving key-controlled spaces.
- (4) Contractors or vendors are not permitted to access occupied student resident spaces without accompaniment of a university employee.

**RESOLUTION TO APPROVE  
INTERFUND TRANSFERS**

**WHEREAS**, University Policy Number 3356-3-11.1, Budget Transfers, requires Board of Trustees approval for inter-fund transfers of \$100,000 or more for operating purposes or for any purpose other than a specific capital improvement project, for capital improvements or construction projects of \$500,000 or more, and for transfers out of operating reserves regardless of amount; and

**WHEREAS**, certain accounting and budget adjustments and transfers outside the operating budget are necessary during the course of a fiscal year and at the end of a fiscal year.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Trustees of Youngstown State University does hereby approve the transfer of funds, as detailed in Exhibit G.



**YOUNGSTOWN STATE UNIVERSITY**  
**Interfund Transfers Requiring Board Approval**  
**Transfers Outside of the Operating Budget**  
**Requested Transfers for First Quarter 2018**

FROM	TO	AMOUNT	REASON
<b><i>Operating Carry Forward (Designated Fund)</i></b>			
<b><i>Various Funds (Designated Funds)</i></b>		<b><i>Transfer year end excess of \$3,873,682 to designated funds</i></b>	
	Tech & Lab Mat. Fee Carry Fwd.	\$786,336	
	College Fee Carry Fwd.	\$390,203	
	Program Fee Carry Fwd	\$193,291	
	Technology Master Plan	\$1,041,013	
	Strategic Investment Reserve	\$1,462,839	
<b><i>Debt Service Reserve Funds</i></b>			
<b><i>Debt Service Funds</i></b>		<b><i>Transfers totaling \$3,653,655 to fund portion of FY18 Debt Service</i></b>	
General Fund (Unrestricted Plant Fund)	Bond Fund - Series 2009	\$249,941	Portion supported by General Fund.
General Fund (Unrestricted Plant Fund)	Bond Fund - Series 2010	\$1,467,097	Portion supported by General Fund.
General Fund (Unrestricted Plant Fund)	Bond Fund - Series 2016	\$475,834	Portion supported by General Fund.
WCBA Gifts (Restricted Plant Fund)	Bond Fund - Series 2009	\$662,339	Portion attributed to the WCBA.
WCBA Gifts (Restricted Plant Fund)	Bond Fund - Series 2016	\$680,710	Portion attributed to the WCBA.
Vets Center Gifts (Restricted Plant Fund)	Bond Fund - Series 2010	\$117,734	Portion attributed to Vets Center.
<b><i>Bookstore Related Funds</i></b>			
<b><i>Various General Funds</i></b>		<b><i>Transfer residual Bookstore Funds totaling \$903,171 to General Fund Reserves</i></b>	
Bookstore Operating	General Fund Debt Service Reserve	\$486,405	
Bookstore Operating Reserve	General Fund Operating Reserve	\$315,000	
Bookstore Plant Reserve	General Fund Plant Reserve	\$101,766	

FROM	TO	AMOUNT	REASON
<i>Other</i>			
General Fund Debt Service Reserve	Stambaugh Multimedia Center Project	\$1,300,000	Interest free interfund loan for purpose of providing bridge financing for the construction of a multimedia center. The center will house classrooms and laboratories for the YSU Department of Communication, as well as game day activities for all Stambaugh Stadium events. In addition, the center will include space for YSU's Sports Broadcasting program. Repayment to be made upon receipt of funds pledged for the project. Project budget is \$2 million. Pledges to date total \$1.8 million and are expected to be paid in full in FY 2022.
Industry & Labor Steel Museum Operating Reserve	General Fund Operating Reserve	\$26,895	Transfer residual funds to General Fund.

**DIVIDER**

**UNIVERSITY AFFAIRS  
COMMITTEE**

**RESOLUTION TO RATIFY  
PERSONNEL ACTIONS**

**WHEREAS**, the *Policies of the Board of Trustees* authorize the President to manage the University, including appointing such employees as are necessary to effectively carry out the operation of the University and any other necessary personnel actions; and

**WHEREAS**, new appointments and other personnel actions have been made subsequent to the June 14, 2017, meeting of the Board of Trustees; and

**WHEREAS**, such personnel actions are in accordance with the 2017-2018 Budget and with University policies 3356-2-02, Equal Opportunity and Affirmative Action Recruitment and Employment; 3356-7-36, Hiring and Selection Process, Contracts and Compensation for Intercollegiate Athletic Coaches; 3356-9-02, Selection and Annual Evaluation of Administrative Officers of the University; and 3356-7-42, Selection of Professional/Administrative Staff;

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Trustees of Youngstown State University does hereby ratify and confirm the personnel actions as listed in Exhibit **H** attached hereto.

**SUMMARY OF PERSONNEL ACTIONS**  
**Professional Administrative - Athletics**  
**4/16/17 through 7/15/17**

**Appointments – 12**

**New Positions – 1**

- Professional Administrative Excluded – 1

**Replacement Positions – 11**

- Professional Administrative Excluded – 11

**Separations – 12**

- Professional Administrative Staff – 1
- Professional Administrative Excluded – 11

**Reclassifications – 3**

- Professional Administrative Staff – 3

**Promotions – 1**

- Professional Administrative Excluded – 1

**Transfers – 0**

**Salary Adjustments – 9**

- Professional Administrative Staff – 1
- Professional Administrative Excluded – 8

**Displacements – 0**

**Layoffs – 0**

**YOUNGSTOWN STATE UNIVERSITY  
PROFESSIONAL ADMINISTRATIVE - ATHLETICS  
PERSONNEL ACTIONS 4/16/17 THROUGH 7/15/17  
APPOINTMENTS**

<b>EMPLOYEE NAME</b>	<b>EMPLOYEE TYPE</b>	<b>POSITION TITLE</b>	<b>DEPARTMENT</b>	<b>CONTRACT/ APPOINTMENT DATES</b>	<b>FTE</b>	<b>SALARY</b>
Courtney Davidson	Excluded	Assistant Coach Women's Basketball	Basketball - Women's	6/16/2017	1.00	\$ 42,000.00
Barry Kaigler	Excluded	Assistant Coach Strength Conditioning	Training Room	5/16/2017	1.00	\$ 30,265.00
Joseph Molinari	Excluded	Assistant Coach, Men's Basketball	Basketball - Men's	4/17/2017	1.00	\$ 80,000.00
Ryan Purdy	Excluded	Head Coach, Swimming & Diving/Aquatics Coordinator	Swimming & Diving - Women's	6/1/2017	1.00	\$ 50,840.00
Connor Neu	Excluded	Assistant Coach Track Field Throws	Track	7/1/2017	0.50	\$ 16,588.00
Daniel Reese*	Excluded	Assistant Coach- Special Assistant to the Head Coach	Basketball - Men's	5/16/2017	1.00	\$ 23,660.00
Mark Richmond	Excluded	Assistant Coach Men's Basketball - Quality Control	Basketball - Men's	4/17/2017	1.00	\$ 40,000.00
John Seaver	Excluded	Assistant Coach Track Field Throws	Track	7/1/2017	0.50	\$ 16,588.00
Jason Slay	Excluded	Assistant Coach Men's Basketball	Basketball - Men's	4/17/2017	1.00	\$ 60,000.00
Ethan Solger	Excluded	Assistant Athletics Dir Sports Med	Training Room	6/5/2017	1.00	\$ 70,000.00
Robert Steinburg	Excluded	Assistant Coach Men's Basketball	Basketball - Men's	4/17/2017	1.00	\$ 94,000.00
Jacob Tuura	Excluded	Assistant Coach Strength Conditioning	Training Room	6/16/2017	1.00	\$ 30,265.00
<b>*New Positions</b>						



**YOUNGSTOWN STATE UNIVERSITY**  
**PROFESSIONAL ADMINISTRATIVE - ATHLETICS**  
**PERSONNEL ACTIONS 4/16/17 THROUGH 7/15/17**  
**SEPARATIONS**

<b>EMPLOYEE NAME</b>	<b>EMPLOYEE TYPE</b>	<b>POSITION TITLE</b>	<b>DEPARTMENT</b>	<b>DATE OF SEPARATON</b>	<b>FTE</b>	<b>SALARY</b>
John Brown	APAS	Assistant Director, Sales/Event Management	Ticket Office	6/6/2017	1.00	\$ 50,101.00
Matthew Anderson	Excluded	Head Coach Swimming & Diving/Aquatics Coordinator	Swimming & Diving - Women's	5/27/2017	1.00	\$ 50,840.00
Nicholas Gavolas	Excluded	Assistant Coach Swimming & Diving	Swimming & Diving - Women's	5/27/2017	0.50	\$ 13,873.33
Samantha Hoyt	Excluded	Assistant Coach Women's Basketball	Women's Basketball	5/31/2017	1.00	\$ 35,000.00
Charles Jasper	Excluded	Assistant Coach Strength & Conditioning	Training Room	6/15/2017	1.00	\$ 30,265.00
Teonna Jewell	Excluded	Assistant Coach Women's Basketball - Director of Operations	Basketball - Women's	5/23/2017	1.00	\$ 26,750.00
Matthew Lynch	Excluded	Assistant Coach - Men's Basketball	Basketball - Men's	5/5/2017	1.00	\$ 40,007.00
Jesse Potter	Excluded	Assistant Director	Athletic Administration	7/9/2017	1.00	\$ 45,547.08
Frederick Robinson	Excluded	Assistant Coach Men's Basketball	Basketball - Men's	5/5/2017	1.00	\$ 72,000.00
Jerry Slocum	Excluded	Head Men's Basketball Coach	Basketball - Men's	4/30/2017	1.00	\$ 140,192.00
Elizabeth Vlad	Excluded	Assistant Coach Strength & Conditioning	Training Room	5/26/2017	0.75	\$ 20,353.00
Michael Wernicki	Excluded	Assistant Coach Men's Basketball	Basketball - Men's	5/5/2017	1.00	\$ 71,000.00

**YOUNGSTOWN STATE UNIVERSITY  
PROFESSIONAL ADMINISTRATIVE - ATHLETICS  
PERSONNEL ACTIONS 4/16/17 THROUGH 7/15/17  
RECLASSIFICATIONS**

<b>EMPLOYEE NAME</b>	<b>EMPLOYEE TYPE</b>	<b>POSITION TITLE</b>	<b>DEPARTMENT</b>	<b>CONTRACT/ APPOINTMENT DATES</b>	<b>FTE</b>	<b>NEW SALARY</b>	<b>PREVIOUS SALARY</b>
James Hall	APAS	Assistant Director, Athletic Communications	Sports Information	4/1/2017	1.00	\$ 52,047.00	\$ 49,594.44
Martha Hyden*	APAS	Athletic Academic Advisor	Academic Counseling	7/1/2017	1.00	\$ 35,099.25	\$ 29,249.40
John Vogel	APAS	Assistant Director, Athletic Communications	Sports Information	4/1/2017	1.00	\$ 46,231.00	\$ 44,029.32
*Martha Hyden went from 10 month position to 12 months							

**YOUNGSTOWN STATE UNIVERSITY  
 PROFESSIONAL ADMINISTRATIVE - ATHLETICS  
 PERSONNEL ACTIONS 4/16/17 THROUGH 7/15/17  
PROMOTIONS**

<b>EMPLOYEE NAME</b>	<b>EMPLOYEE TYPE</b>	<b>POSITION TITLE</b>	<b>DEPARTMENT</b>	<b>CONTRACT APPT. DATES</b>	<b>FTE</b>	<b>NEW SALARY</b>	<b>PREVIOUS SALARY</b>
Kevin Bruinsma	Excluded	Assistant Coach Player Personnel	Basketball - Men's	5/6/2017	1.00	\$ 68,000.00	\$ 60,000.00

**YOUNGSTOWN STATE UNIVERSITY**  
**PROFESSIONAL ADMINISTRATIVE - ATHLETICS**  
**PERSONNEL ACTIONS 4/16/17 THROUGH 7/15/17**  
**SALARY ADJUSTMENTS**

<b>EMPLOYEE NAME</b>	<b>EMPLOYEE TYPE</b>	<b>POSITION TITLE</b>	<b>DEPARTMENT</b>	<b>CONTRACT/ APPOINTMENT DATES</b>	<b>NEW FTE</b>	<b>NEW SALARY</b>	<b>OLD FTE</b>	<b>PREVIOUS SALARY</b>
Timothy Gallo	APAS	Assistant Equipment Manager	Equipment Room	7/1/2017	1.00	\$ 42,044.00	1.00	\$ 41,043.78
John Barnes	Excluded	Head Women's Basketball Coach	Basketball - Women's	5/1/2017	1.00	\$ 152,200.00	1.00	\$ 142,200.00
Brumfield, Katrina	Excluded	Assistant Coach Track Field	Track - Men's	7/1/2017	1.00	\$ 33,840.00	1.00	\$ 33,176.00
Campbell, Brian	Excluded	Head Coach Softball	Softball	7/1/2017	1.00	\$ 48,806.00	1.00	\$ 48,323.00
Gorby, Brian	Excluded	Head Coach Track and CC	Track - Men's	7/1/2017	1.00	\$ 56,508.00	1.00	\$ 55,400.00
Richard Love	Excluded	Associate Director Athletic Ticket Office	Ticket Office	7/1/2017	1.00	\$ 70,979.00	1.00	\$ 69,979.14
Miklos, Nathan	Excluded	Head Women's Golf Coach	Golf - Women's	7/1/2017	1.00	\$ 37,523.00	0.75	\$ 28,141.00
Sopel, Mickael	Excluded	Head Coach Men's/Women's Tennis	Tennis - Men's	7/1/2017	1.00	\$ 49,866.00	1.00	\$ 49,372.00
Zilles, Sara	Excluded	Assistant Coach Softball	Softball	7/1/2017	1.00	\$ 35,249.00	1.00	\$ 34,900.00

**RESOLUTION TO MODIFY AND RETITLE  
WORKPLACE VIOLENCE POLICY, 3356-7-04**

**WHEREAS**, University Policies are being reviewed and re-conceptualized 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 Workplace Violence 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 the University Policy governing Workplace Violence, policy number 3356-7-04, to be retitled as Workplace Violence, Threats and Disruptive Behavior, shown as Exhibit I attached hereto. A copy of the policy indicating changes to be made is also attached.

3356-7-04 Workplace violence, threats and disruptive behavior.

~~Previous Policy Number: 7001.04~~

Responsible Division/Office: Human Resources

Responsible Officer: Vice President for Legal Affairs and Human Resources

Revision History: December 2012; September 2017

Board Committee: University Affairs

Effective Date: ~~December 14, 2012~~ September 7, 2017

Next Review: ~~2017~~ 22

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- (A) Policy statement. ~~The policy provides a process and procedure that delineates~~ Youngstown state university's (university) is committed to providing a supportive work and learning environment that is safe, ~~secure,~~ and free from threats, intimidation, unreasonable disruptions and violence.
- (B) Purpose. ~~The policy~~ To promotes an safe work environment that encourages knowledge acquisition and productive employment by assuring an appropriate and prompt response to any violence or threat of violence. ~~Any incident will be managed in a professional manner utilizing all appropriate measures to preserve the confidentiality and autonomy of the affected individuals.~~
- (C) Scope. This policy applies to all university employees, students, faculty, visitors and all persons who, while not university employees, perform work or provide services both on university property and for the benefit of the university.
- (~~E~~D) Definitions.
- (1) ~~“Workplace threats or violence.” Any harm or threat of harm to a person or to property in the workplace.—~~ Conduct against persons or property that is sufficiently severe or intimidating to reasonably interfere with the normal activities or functioning of the workplace. Workplace threats or violence ~~may~~ include but are not limited to physical violence; sexual, emotional, and psychological intimidation; verbal abuse; possession of a deadly weapon; and/or use of university property or resources, including telephone, fax machine, email, internet, or other means, to threaten, harass, intimidate or abuse someone.

- (2) Disruptive behavior. Inappropriate behavior, confrontation, or conflict which unreasonably interferes with or prevents the normal activities or functioning of the workplace.
- ~~(23)~~ ~~“Workplace.” Any university-owned or controlled property or university services or events.~~
- ~~(34)~~ ~~“Family and relationship violence.” Any type of domestic violence as defined by section 2919.25 of the Revised Code.~~
- ~~(45)~~ ~~“Deadly weapon.” Any instrument, device, or thing capable of inflicting death and designed or specially adapted for use as a weapon, or possessed, carried, or used as a weapon as defined by section 2923.11 of the Revised Code.~~

~~(5) “Zero tolerance.” All reported incidents will be investigated. The university will take swift and remedial action to protect the rights of employees, faculty and students.~~

~~(DE)~~ Prohibited behavior includes but is not limited to:~~olney details and procedures.~~

- ~~(1) Verbal abuse or outbursts, the creation of conflict between coworkers, use of profanity/offensive language, or inappropriate interactions with students, coworkers, supervisors or others.~~
- ~~(1) Recurring conflicts, verbal abuse or outbursts, or inappropriate interactions with students, coworkers, supervisors or others.~~
- ~~(1) Conduct or behavior not tolerated by the university.~~
- ~~(a2)~~ Any direct or implied threats to an individual, or the individual’s family, friends, associates or property.
- ~~(b3)~~ Physical conduct that results in harm to people or property.
- ~~(e4)~~ The illegal Ppossession, use or unauthorized storage of any deadly weapons on university property or at university-sponsored events.
- ~~(d5)~~ Intimidation or harassment that has the intent or effect of disrupting the work or learning environment and/or results in fear for personal safety.
- ~~(e6)~~ InappropriateThe use of university facilities,property or resources, such as work time, telephones, mail, e-mail, or the internet, or time as a means of to threatening, or harassing or abusing individuals/persons someone.

(7) Repeated unwanted contact from one person to another which causes an individual to reasonably feel alarm or fear violence.

~~(2) Consequences for policy violations:~~

~~(a) University employees determined to be in violation of this policy will be subject to corrective action, to include termination consistent with university policies and bargaining unit agreements.~~

~~(b) Students as perpetrators will be dealt with in accordance with the "The Code of Student Rights, Responsibilities, and Conduct."~~

~~(c) Perpetrators of workplace or family and relationship violence occurring in the workplace may be required to complete a program of intervention which may include an educational program, counseling, and/or ongoing treatment. Youngstown state university's employee assistant program can provide the necessary services or referral to the necessary resources.~~

~~(d) Perpetrators may be determined persona non grata pursuant to rule 3356-7-45 of the Administrative Code.~~

~~(e) If appropriate, criminal charges may also be filed.~~

(F) Reporting.

(1) An employee who is the victim of violence in the workplace; or believes he or she has been or is being threatened with violence in the workplace; or witnesses an act or threat of violence in the workplace; shall take the following steps:

(a) If the situation is one of immediate danger; contact the university police department (330-941-3527 or 911 from a university phone) or local law enforcement by dialing 911 and take whatever emergency steps are available and appropriate to protect yourself or others from immediate harm including seeking immediate assistance for persons in need of medical care; then file a report with the university police department and the chief human resources officer as soon as possible.

(b) If the situation is not one of immediate danger; report the



incident to the appropriate supervisor and to the chief human resources officer as soon as possible. A police report should also be filed with the university police department.

(c) The university police department, the chief human resources officer and managers and supervisors are to take all reported incidents of threatening and violent behavior in the workplace seriously and document the circumstance associated with the incident including a record of information from all involved employees/students or witnesses as well as an assessment of the situation.

(d) All reported incidents will be investigated to the extent possible. The university will take appropriate remedial action to protect employees, faculty and students.

(2) An employee who is experiencing or witnessing disruptive workplace behavior should report the behavior to his/her supervisor; if the supervisor is the source of the disruptive behavior, the employee should contact the chief human resources officer.

(G) Education, response and prevention.

(31) ~~Employer responsibilities~~ Office of human resources.

~~(a) — Familiarize all employees and students with the policy and incorporate it into new faculty and staff orientation materials.~~

(ba) Provide annual training opportunities for all employees concerning workplace violence and family and relationship violence and familiarize new employees with this policy through new faculty and staff orientation materials and on-line postings on appropriate university websites. ~~for leaders, supervisors, managers, faculty, and staff.~~

(eb) ~~Be p~~ Proactively in response to potential indicators of violence or abuse by referring affected individuals to available resources provided by the Youngstown state university police. ~~police.~~

(ec) In collaboration with the university police department, Examine-evaluate reported any alleged threat by evaluating incidents of threatening or violent behavior on the

perceived intent of the threat, nature of the threat, immediate risk factors and likelihood that harm will occur. ~~This appraisal should be conducted in collaboration with Youngstown state university police.~~

- (ed) Provide ongoing support by helping victims seek professional assistance, including referencing the university's employee assistance program provider on the human resources website.
- ~~(i) — If observed or reported events do not indicate imminent danger to persons or damage to property, the following procedures are indicated:~~
  - ~~(a) — Document all circumstances associated with the event, to include a record of information from all involved employees/students or witnesses as well as an assessment of the situation. This documentation should be generated as a result of a report to the Youngstown state university police.~~
- (be) Promptly formulate and implement a plan of action in consultation with the Youngstown state university police and the appropriate manager or supervisor.
- (ef) Following an investigation, immediately investigate and implement ~~initiate~~ appropriate ~~corrective~~ disciplinary action.
- (g) Process corrective action consistent with university policy and/or collective bargaining agreements as applicable.
  - ~~(ii) — In situations involving imminent danger or where there has been an incident of violence involving injury to persons or damage to property:~~
    - ~~(a) — Immediately notify the Youngstown state university police.~~
    - ~~(b) — Seek immediate assistance for persons in need of medical care.~~
    - ~~(c) — Comprehensively document the event that reflects a record of information from all~~

~~involved employees/students or witnesses as well as an evaluation of the circumstances.~~

~~(d) — Based on the results of the investigation of circumstances, a plan of action will be formulated and the appropriate corrective strategies will be implemented.~~

(h) Provide assistance to the employing unit, including information on the parameters guiding employee sick leave or personal leave benefits, employee assistance program provider and individualized workplace safety plans.

(2) Youngstown state university police department.

~~(a) (iii) Youngstown state university police,~~ In consultation with the office of human resources, the office of environmental and occupational health and safety (EOHS”), and the appropriate office or department, of the vice president for student affairs the university police department will coordinate an individualized workplace safety plan in response to workplace violence and family relationship violence. Such plans may include changing work station and phone numbers as well as providing escort services to and from the building as circumstances warrant.

(b) Restore order in a conflict situation.

(c) Enforce the law including existing protection orders.

(d) Arrange for emergency medical assistance when necessary.

(e) Participate on a crisis assessment team.

(43) Faculty, staff and student employee responsibilities

(a) Any student or employee of ~~the Youngstown state~~ university who has obtained a protective order (temporary, permanent, or civil) must inform their immediate supervisor and ~~or the Youngstown state~~ university police department and provide a copy of the protection order to the university police department.

(b) Have knowledge of the policy.

~~(e) — Individuals are encouraged to promptly notify their immediate supervisor, department head, chairperson,~~

~~college dean, and the Youngstown state university police if they have been victims or believe they may be potential victims of family and/or relationship violence. Such communication is particularly critical when victimization affects employee performance to include absenteeism, productivity, tardiness, collegiality.~~

- (~~d~~c) Attend educational training, counseling, or treatment as required.

~~(5) — Youngstown state university police responsibilities~~

- ~~———— (a) — Restore order in a conflict situation.~~
- ~~———— (b) — Enforce the law including existing protection orders.~~
- ~~———— (c) — Arrange for emergency medical assistance.~~
- ~~———— (d) — Participate on a crisis assessment team (i.e., student threat assessment team).~~
- ~~———— (e) — Consult with the office of human resources, the EOHS, and the office of the vice president for student affairs.~~

~~(6) — Office of human resources responsibilities~~

- ~~(a) — Provide assistance to the employing unit, including information on the parameters guiding employee sick leave or personal leave benefits, employee assistance plan resources, and individualized workplace safety plans.~~
- ~~(b) — Process requests for corrective actions consistent with collective bargaining agreements.~~

(H) Consequences for policy violations.

- (1) University employees determined to be in violation of this policy will be subject to disciplinary action up to and including termination of employment consistent with university policies and/or bargaining unit agreements.
- (2) Students as perpetrators will be dealt with in accordance with the “The Code of Student Rights, Responsibilities, and Conduct.”
- (3) Perpetrators of workplace or family and relationship violence occurring in the workplace may be required to complete a program

of intervention which may include an educational program, counseling, and/or ongoing treatment. The university's employee assistance program provider can provide the necessary services or referral to the necessary resources.

- (4) Perpetrators may be determined persona non grata pursuant to rule 3356-7-45 of the Administrative Code.
- (5) Perpetrators may be subject to criminal charges.

**3356-7-04      Workplace violence, threats and disruptive behavior.**

Responsible Division/Office: Human Resources  
Responsible Officer: Vice President for Legal Affairs and Human Resources  
Revision History: December 2012; September 2017  
Board Committee: University Affairs  
**Effective Date: September 7, 2017**  
Next Review: 2022

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- (A) Policy statement. Youngstown state university (university) is committed to providing a supportive work and learning environment that is safe and free from threats, intimidation, unreasonable disruptions and violence.
- (B) Purpose. To promote a safe work environment that encourages knowledge acquisition and productive employment by assuring an appropriate and prompt response to any violence or threat of violence.
- (C) Scope. This policy applies to all university employees, students, faculty, visitors and all persons who, while not university employees, perform work or provide services both on university property and for the benefit of the university.
- (D) Definitions.
  - (1) Workplace threats or violence. Conduct against persons or property that is sufficiently severe or intimidating to reasonably interfere with the normal activities or functioning of the workplace. Workplace threats or violence include but are not limited to physical violence; sexual, emotional, and psychological intimidation; verbal abuse; possession of a deadly weapon; and/or use of university property or resources, including telephone, fax machine, email, internet, or other means, to threaten, harass, intimidate or abuse someone.
  - (2) Disruptive behavior. Inappropriate behavior, confrontation, or conflict which unreasonably interferes with or prevents the normal activities or functioning of the workplace.
  - (3) Workplace. Any university-owned or controlled property or

university service or event.

- (4) “Family and relationship violence.” Any type of domestic violence as defined by section 2919.25 of the Revised Code.
- (5) “Deadly weapon.” Any instrument, device, or thing capable of inflicting death and designed or specially adapted for use as a weapon, or possessed, carried, or used as a weapon as defined by section 2923.11 of the Revised Code.

(E) Prohibited behavior includes but is not limited to:

- (1) Verbal abuse or outbursts, the creation of conflict between co-workers, use of profanity/offensive language, or inappropriate interactions with students, coworkers, supervisors or others.
- (2) Any direct or implied threats to an individual, or the individual’s family, friends, associates or property.
- (3) Physical conduct that results in harm to people or property.
- (4) The illegal possession, use or unauthorized storage of a deadly weapons on university property or at university-sponsored events.
- (5) Intimidation or harassment that has the intent or effect of disrupting the work or learning environment and/or results in fear for personal safety.
- (6) The use of university property or resources, such as work time, telephones, mail, e-mail, or the internet, to threaten or harass someone.
- (7) Repeated unwanted contact from one person to another which causes an individual to reasonably feel alarm or fear violence.

(F) Reporting.

- (1) An employee who is the victim of violence in the workplace; or believes he or she has been or is being threatened with violence in the workplace; or witnesses an act or threat of violence in the workplace; shall take the following steps:

- (a) If the situation is one of immediate danger; contact the university police department (330-941-3527 or 911 from a university phone) or local law enforcement by dialing 911 and take whatever emergency steps are available and appropriate to protect yourself or others from immediate harm including seeking immediate assistance for persons in need of medical care; then file a report with the university police department and the chief human resources officer as soon as possible.
  - (b) If the situation is not one of immediate danger; report the incident to the appropriate supervisor and to the chief human resources officer as soon as possible. A police report should also be filed with the university police department.
  - (c) The university police department, the chief human resources officer and managers and supervisors are to take all reported incidents of threatening and violent behavior in the workplace seriously and document the circumstance associated with the incident including a record of information from all involved employees/students or witnesses as well as an assessment of the situation.
  - (d) All reported incidents will be investigated to the extent possible. The university will take appropriate remedial action to protect employees, faculty and students.
- (2) An employee who is experiencing or witnessing disruptive workplace behavior should report the behavior to his/her supervisor; if the supervisor is the source of the disruptive behavior, the employee should contact the chief human resources officer.
- (G) Education, response and prevention.
- (1) Office of human resources.
    - (a) Provide annual training opportunities for all employees concerning workplace violence and family and relationship violence and familiarize new employees with this policy



through new faculty and staff orientation materials and on-line postings on appropriate university websites.

- (b) Proactively respond to potential indicators of violence or abuse by referring affected individuals to available resources provided by the university.
  - (c) In collaboration with the university police department, evaluate reported incidents of threatening or violent behavior on the perceived intent of the threat, nature of the threat, immediate risk factors and likelihood that harm will occur.
  - (d) Provide ongoing support by helping victims seek professional assistance, including referencing the university's employee assistance program provider on the human resources website.
  - (e) Promptly formulate and implement a plan of action in consultation with the Youngstown state university police and the appropriate manager or supervisor.
  - (f) Following an investigation, implement appropriate disciplinary action.
  - (g) Process corrective action consistent with university policy and/or collective bargaining agreements as applicable.
  - (h) Provide assistance to the employing unit, including information on the parameters guiding employee sick leave or personal leave benefits, employee assistance program provider and individualized workplace safety plans.
- (2) Youngstown state university police department.
- (a) In consultation with the office of human resources, the office of environmental and occupational health and safety (EOHS"), and the appropriate office or department, the university police department will coordinate an individualized workplace safety plan in response to workplace violence and family relationship violence. Such plans may include changing work station and phone numbers as well as providing escort services to and from

the building as circumstances warrant.

- (b) Restore order in a conflict situation.
  - (c) Enforce the law including existing protection orders.
  - (d) Arrange for emergency medical assistance when necessary.
  - (e) Participate on a crisis assessment team.
- (3) Faculty, staff and student employee responsibilities
- (a) Any student or employee of the university who has obtained a protective order (temporary, permanent, or civil) must inform their immediate supervisor and the university police department and provide a copy of the protection order to the university police department.
  - (b) Have knowledge of the policy.
  - (c) Attend educational training, counseling, or treatment as required.
- (H) Consequences for policy violations.
- (1) University employees determined to be in violation of this policy will be subject to disciplinary action up to and including termination of employment consistent with university policies and/or bargaining unit agreements.
  - (2) Students as perpetrators will be dealt with in accordance with the “The Code of Student Rights, Responsibilities, and Conduct.”
  - (3) Perpetrators of workplace or family and relationship violence occurring in the workplace may be required to complete a program of intervention which may include an educational program, counseling, and/or ongoing treatment. The university’s employee assistance program provider can provide the necessary services or referral to the necessary resources.
  - (4) Perpetrators may be determined persona non grata pursuant to rule 3356-7-45 of the Administrative Code.

- (5) Perpetrators may be subject to criminal charges.

**RESOLUTION TO MODIFY AND RETITLE  
BACKGROUND CHECKS FOR POTENTIAL  
EMPLOYEES POLICY, 3356-7-44**

**WHEREAS**, University Policies are being reviewed and re-conceptualized 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 Background Checks for Potential Employees 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 the University Policy governing Background Checks for Potential Employees, policy number 3356-7-44, to be retitled as Background Checks, shown as Exhibit J attached hereto. A copy of the policy indicating changes to be made is also attached.

3356-7-44     **Background checks ~~for potential employees.~~**

~~Previous Policy Number: 7021.05 (new)~~  
Responsible Division/Office: Human Resources  
Responsible Officer: Vice-President for Legal Affairs and~~Chief~~ Human Resources ~~Officer~~  
Revision History: June 2011; September 2017  
Board Committee: University Affairs  
**Effective Date:** ~~June 17, 2011~~September 7, 2017  
Next Review: 2016~~22~~

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(A) Policy statement.

~~(1)~~—Youngstown state university (university) is committed to providing a safe environment for all students, employees and visitors to our campus and associated worksites and to protecting its funds, property and other assets. Background checks promote safety and security and allow the university to make well-informed hiring decisions. ~~contribute to these efforts. Effective July 1, 2011, the university will conduct background checks on persons hired for initial employment with the university.~~

(B) Scope. This policy ~~will apply~~s to all individuals (both internal and external) selected for a position with the university for full- and part-time faculty, professional/administrative, and classified positions. It is a condition of employment that all such individuals submit to the criminal background check procedures.

~~(2)~~—~~The chief human resources officer is responsible for the procedures necessary for the implementation of this policy. These procedures are available on the “Employment” component of the human resources website and are identified as “Guidelines for Conducting Background Checks.”~~ Federal, state and local regulations may also require background checks for specific individuals or positions.

(C) Definitions.

- (1) Background check. The process of verifying credentials or other information about a candidate including but not limited to a criminal history check, educational and license verification, financial history check, and employment history.
  - (2) Conviction. A guilty verdict, a guilty plea or a plea of no contest (Nolo Contendere) of a felony or misdemeanor, other than minor traffic offenses.
  - (3) Criminal background check. The process of gathering and reviewing criminal history records or information furnished by a criminal justice agency or third party vendor in the business of obtaining and providing criminal history records relating to an individual's criminal convictions. A criminal history record does not include an individual's conviction records that have been sealed by court order. Criminal records include in-state and out-of-state criminal history, including misdemeanor and felony convictions.
  - (4) Credit history check. The process of gathering and reviewing financial history records or information furnished by any court of civil law, credit reporting agency (credit report), or a third party vendor in the business of obtaining and providing credit reports.
- (D) Parameters.
- (1) The chief human resources officer is responsible for developing procedures necessary for the implementation of this policy.
  - (2) Former university employees who are proposed for rehire following an interrupted period of twelve (12) months or more are subject to a criminal background check.
  - (3) With the exception of minor traffic violations, a candidate who has falsified or withheld information will be disqualified from further consideration. This exception for minor traffic violations does not apply to positions which require a motor vehicle record check.
  - (4) University departments, offices or units may require additional background checks such as motor vehicle checks, driver insurability or license verification on final candidate(s) for positions with corresponding job responsibilities.

(BE) Procedures ~~for conducting background checks for potential employees.~~

- (1) ~~Introduction. Applicants~~Candidates who are considered to be finalists in a job search are required to provide a written release ~~to~~ authorizing ~~e-the-a eriminal~~ background ~~investigation~~check using a prescribed form and are required to provide necessary authorization and information for all other applicable background checks. A state of Ohio and a federal criminal background check will be conducted for final candidates who are under ~~final~~ consideration.
- (2) Criminal history and including sex offender checks will be conducted for the selected candidate for all positions as noted in this policy.
- (3) A credit history will be conducted for any positions with access to or responsibility for cash receipts, cash accounts, blank checks, checking accounts or other bank accounts. Credit checks will also be required for positions that initiate accounting/financial transactions that are not reviewed or verified by others, positions that have override authority for spending, and deans, directors and/or department head or above. Current employees who assume these duties during the course of their employment will be subject to a credit history check.

(F) Guidelines for review of criminal background checks.

~~(2)~~ — In accordance with state and federal laws, a previous criminal conviction does not automatically disqualify ~~an applicant~~candidate from consideration for employment with the university. A candidate's eligibility will depend on a variety of factors, including but not limited to:

- (1) ~~such as~~†The nature of and circumstances surrounding any crime(s);.
- (2) †The time elapsed since conviction, ~~and~~ rehabilitation record; and completion of any sentence.
- (3) †The actions and activities of the individual since the \_\_\_\_\_ crime(s), including the individual's subsequent work

\_\_\_\_\_ history, the truthfulness and completeness of the  
 \_\_\_\_\_ candidate's disclosure of the conviction(s).;

~~(45)~~ The nature and duties of the position.

~~(5)~~ and a Any other relevant information. ~~A conviction includes any unlawful offense other than a minor traffic violation.~~

~~(C)~~ Guidelines for background checks.

~~(1)~~ Candidates may be excluded from consideration for employment for the following criminal convictions:

~~(a)~~ Any felony offense;

~~(b)~~ A sex offense as defined in Chapter 2907. of the Revised Code;

~~(c)~~ An offense of violence as defined in division (A)(9)(a) of section 290.01 of the Revised Code;

~~(d)~~ A theft offense as defined in Chapter 2925. of the Revised Code that involves the illegal possession, use, sale, transfer, preparation, cultivation, and manufacture of a drug of abuse, dangerous drug, controlled substance or over-the-counter drug.

~~(e)~~ Any offense that is substantially similar to the above listed offenses occurring in a jurisdiction outside of the state of Ohio or in any municipality or other jurisdiction in Ohio.

~~(23)~~ Background checks will be used to evaluate individuals for employment and will not be used to discriminate on the basis of race, color, national origin, religion, creed, sex, disability, age, veteran's status, sexual orientation or political affiliation.

~~(FG)~~ Employee duty to disclose.

~~(31)~~ Current employees who are convicted of a criminal offense (other than a minor traffic violation) may be subject to a criminal background check. Therefore, employees are required to report any conviction to their immediate supervisor within three ~~(3)~~ calendar days of the conviction. The immediate supervisor will notify the office of human resources regarding the receipt of a



notification from an employee so that a determination may be made regarding the necessity to initiate a background check.

- (2) Current employees convicted of a criminal offense, may be subject to further action consistent with university policies and applicable collective bargaining agreements.
- (DH) Use ~~Scope and types~~ of background checks. Background checks will be used to evaluate individuals for employment and will not be used to discriminate on the basis of race, color, national origin, religion, creed, sex, disability, age, veteran's status, sexual orientation or political affiliation.
- ~~(1) Criminal background checks. Criminal history and including sex offender checks will be conducted for the selected candidate for all positions as noted above.~~
- ~~(2) Credit history checks. A credit history will be conducted for any positions with access to or responsibility for cash receipts, cash accounts, blank checks, checking accounts or other bank accounts. Credit checks will also be required for positions that initiate accounting/financial transactions that are not reviewed or verified by others, positions that have override authority for spending, and deans, directors and/or department head or above. Current employees who assume these duties during the course of their employment will be subject to a credit history check.~~
- ~~(3) Motor vehicle checks. Motor vehicle checks will be conducted on the final candidate(s) for any positions that require the individual to drive a university vehicle as a regular part of their job responsibilities.~~
- (I) Confidentiality. Background checks may only be administered pursuant to this policy and in accordance with human resources procedures. Results of background checks will only be disclosed to the extent necessary to administer and enforce this policy, or as required by law or appropriate legal process. Violation of the confidentiality requirement is grounds for discipline, up to and including termination of employment.

**3356-7-44      Background checks.**

Responsible Division/Office: Human Resources  
Responsible Officer: Vice-President for Legal Affairs and Human Resources  
Revision History: June 2011; September 2017  
Board Committee: University Affairs  
**Effective Date: September 7, 2017**  
Next Review: 2022

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- (A) Policy statement. Youngstown state university (university) is committed to providing a safe environment for all students, employees and visitors to our campus and associated worksites and to protecting its funds, property and other assets. Background checks promote safety and security and allow the university to make well-informed hiring decisions.
- (B) Scope. This policy applies to all individuals (both internal and external) selected for a position with the university for full- and part-time faculty, professional/administrative, and classified positions. It is a condition of employment that all such individuals submit to the criminal background check procedures. Federal, state and local regulations may also require background checks for specific individuals or positions.
- (C) Definitions.
  - (1) Background check. The process of verifying credentials or other information about a candidate including but not limited to a criminal history check, educational and license verification, financial history check, and employment history.
  - (2) Conviction. A guilty verdict, a guilty plea or a plea of no contest (Nolo Contendere) of a felony or misdemeanor, other than minor traffic offenses.
  - (3) Criminal background check. The process of gathering and reviewing criminal history records or information furnished by a criminal justice agency or third party vendor in the business of obtaining and providing criminal history records relating to an individual's criminal convictions. A criminal history record does

not include an individual's conviction records that have been sealed by court order. Criminal records include in-state and out-of-state criminal history, including misdemeanor and felony convictions.

- (4) Credit history check. The process of gathering and reviewing financial history records or information furnished by any court of civil law, credit reporting agency (credit report), or a third party vendor in the business of obtaining and providing credit reports.

(D) Parameters.

- (1) The chief human resources officer is responsible for developing procedures necessary for the implementation of this policy.
- (2) Former university employees who are proposed for rehire following an interrupted period of twelve (12) months or more are subject to a criminal background check.
- (3) With the exception of minor traffic violations, a candidate who has falsified or withheld information will be disqualified from further consideration. This exception for minor traffic violations does not apply to positions which require a motor vehicle record check.
- (4) University departments, offices or units may require additional background checks such as motor vehicle checks, driver insurability or license verification on final (s) for positions with corresponding job responsibilities.

(E) Procedures.

- (1) Candidates who are considered to be finalists in a job search are required to provide a written release authorizing a background check using a prescribed form and are required to provide necessary authorization and information for all other applicable background checks. A state of Ohio and a federal criminal background check will be conducted for final candidates who are under consideration.

- (2) Criminal history including sex offender checks will be conducted for the selected candidate for all positions as noted in this policy.
  - (3) A credit history will be conducted for any positions with access to or responsibility for cash receipts, cash accounts, blank checks, checking accounts or other bank accounts. Credit checks will also be required for positions that initiate accounting/financial transactions that are not reviewed or verified by others, positions that have override authority for spending, and deans, directors and/or department head or above. Current employees who assume these duties during the course of their employment will be subject to a credit history check.
- (F) Guidelines for review of criminal background checks. In accordance with state and federal laws, a previous criminal conviction does not automatically disqualify a candidate from consideration for employment with the university. A candidate's eligibility will depend on a variety of factors, including but not limited to:
- (1) The nature of and circumstances surrounding any crime(s).
  - (2) The time elapsed since conviction, rehabilitation record and completion of any sentence.
  - (3) The actions and activities of the individual since the crime(s), including the individual's subsequent work history, the truthfulness and completeness of the candidate's disclosure of the conviction(s).
  - (4) The nature and duties of the position.
  - (5) Any other relevant information.
- (G) Employee duty to disclose.
- (1) Current employees who are convicted of a criminal offense (other than a minor traffic violation) may be subject to a criminal background check. Therefore, employees are required to report any conviction to their immediate supervisor within three (3) calendar days of the conviction. The immediate supervisor will notify the office of human resources regarding the receipt of a

notification from an employee so that a determination may be made regarding the necessity to initiate a background check.

- (2) Current employees convicted of a criminal offense, may be subject to further action consistent with university policies and applicable collective bargaining agreements.
- (H) Use of background checks. Background checks will be used to evaluate individuals for employment and will not be used to discriminate on the basis of race, color, national origin, religion, creed, sex, disability, age, veteran's status, sexual orientation or political affiliation.
- (I) Confidentiality. Background checks may only be administered pursuant to this policy and in accordance with human resources procedures. Results of background checks will only be disclosed to the extent necessary to administer and enforce this policy, or as required by law or appropriate legal process. Violation of the confidentiality requirement is grounds for discipline, up to and including termination of employment.

**RESOLUTION TO APPROVE THE SELECTION OF THE POSITION  
FOR ASSOCIATE PROVOST FOR ACADEMIC ADMINISTRATION**

**WHEREAS**, a vacancy occurred in the Office of the Provost upon the death of Teresa Riley, Senior Associate Provost for Academic Administration; and

**WHEREAS**, the Board of Trustees approved the authorization of a search in accordance with University Policy, 3356-9-02 and this position is eligible for a multiple-year contract pursuant to University Policy, 3356-7-35; and

**WHEREAS**, a candidate was identified from an applicant pool obtained as a result of an internal search process and recommended by the search committee; and

**WHEREAS**, a search was completed and a strong consensus emerged to select a particular candidate;

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Trustees of Youngstown State University does hereby appoint Jennifer A. Pintar to the position of Associate Provost for Academic Administration.

**FURTHER, BE IT RESOLVED**, that Jennifer A. Pintar receive a multiple-year contract commencing on September 16, 2017.

**TITLE:** Associate Provost for Academic Administration

**DEPARTMENT:** Office of the Provost

**JOB SUMMARY:**

Provides leadership on behalf of and as delegated by the Provost in areas of academic resource planning and management, personnel activities, and communications and public reporting, for the Division of Academic Affairs. Works closely with deans, directors, faculty and staff, in advancing the academic enterprise. Supports the academic division role in shared governance, as appropriate.

**ESSENTIAL FUNCTIONS & RESPONSIBILITIES:**

Provides leadership in developing strategic objectives and in developing, assessing, and implementing University-wide and Division academic policies and procedures.

Serves as the signature authority on selected administrative faculty forms, such as part-time faculty contracts; faculty workload projections, teaching credential evaluations, and others as delegated by the Provost;

Manages sabbatical and FIL selection processes, Distinguished Professorship, part-time teaching excellence, chairs excellence and Watson Merit Award selection processes;

Interfaces with personnel in human resources on issues related to faculty employment, leads activities related to faculty grievance processes, and serves as hearing officer for Step 2 grievances as required.

Works with academic senate, college and department committees, to ensure compliance with stated policies and processes;

Serves as chair of the undergraduate Student Academic Grievance Subcommittee of the Academic Senate, and address other student academic issues. Interfaces with the Associate Vice-President for Student Experience as needed.

Ensures public reporting of mandatory information for students including right-to-know data, processes for student grievances and complaints, Title IV related disclosures, student outcome data and licensure pass rates.

Maintains integrity of academic data and automated systems, such as workload inventory, faculty reassign and workload, and similar student and faculty data.

Provides oversight for Metro Credit, Distance Education, Faculty professional development, and Institutional Research.

**OTHER FUNCTIONS & RESPONSIBILITIES:**

Plays a significant role in university planning, including enrollment management; faculty recruitment and development; marketing and communications, academic facilities and space, and information technology.

Serves as representative of the Provost and President in dealing with student problems that rise above college level;

Works with academic senate, college and departmental committees to ensure compliance with policies and guidelines and promote shared governance.

Serves as liaison for university events, including commencement, and supervises Provost Office activities related to commencement.

Assists Provost in development and accomplishment of Academic Affairs' goals and objectives and by chairing, convening, and/or serving on various campus and community committees, task forces, councils, etc, as assigned.

Serves as a member of Deans' Council.

Performs other related duties as assigned.

**SUPERVISION EXERCISED:**

Administrative supervision is exercised over the Director of Distance Learning; the Director of Metro Credit; Director of Faculty Professional Development; and the Director for Institutional Research; functional supervision is exercised over staff in the Office of the Provost and Vice President for Academic Affairs.

**REPORTS TO:** Provost

**PHYSICAL REQUIREMENTS:**

None

**REQUIRED CERTIFICATIONS AND/OR LICENSURES:**

None

**MINIMUM QUALIFICATIONS:**

Tenured faculty member at Associate Professor rank or above, with minimum 3 years administrative experience.

Demonstrated ability to engage and motivate faculty.

Demonstrated ability to work effectively with students.

**PREFERRED QUALIFICATIONS:**

Five or more years of prior academic administrative experience at or above the level of Associate Dean or Department Chair.

Knowledge of YSU Board Policies and the YSU-OEA/YSU Agreement

Demonstrated ability to use and analyze data in decision-making.



**Jennifer Peoples Pintar, PhD, MPH**  
**Professor, Human Performance and Exercise Science**  
**Youngstown State University**  
**Youngstown, OH 44555**  
**(330) 941-3655**  
**E-Mail: [japintar@ysu.edu](mailto:japintar@ysu.edu)**

## **EDUCATION**

PhD, 2001

Major: Exercise Physiology  
University of Pittsburgh  
Pittsburgh, PA

MPh, 2004

Major: Epidemiology  
University of Pittsburgh  
Pittsburgh, PA

M.S., 1995

Major: Exercise Physiology  
University of Pittsburgh  
Pittsburgh, PA

B.S., 1994

Major: Biology  
Washington and Jefferson College  
Washington, PA

## **PROFESSIONAL EXPERIENCE**

2014-current	Chairperson, Human Performance and Exercise Science, Youngstown State University
2012-current	Professor, Human Performance and Exercise Science, Youngstown State University
2005-2012	Associate Professor, Human Performance and Exercise Science, Youngstown State University
2002-2005	Assistant Professor, Human Performance and Exercise Science, Youngstown State University
1999-2001	Instructor, Human Performance and Exercise Science, Youngstown State University

## **CERTIFICATION**

Current American Red Cross CPR for adults, children, and infants certification  
American College of Sports Medicine Health Fitness Instructor Certification  
American College of Sports Medicine Certified Personal Trainer  
National Strength and Conditioning Association Certified Strength and Conditioning Specialist  
National Strength and Conditioning Association Certified Personal Trainer  
Quality Matters Distance Learning Peer Reviewer Certification

## **GRADUATE AND SWING COURSES TAUGHT**

MPH 6996 Practicum 3 credits – conference course  
MPH 6994 Individual Study 3 credits – conference course  
MPH 6997 MPH Capstone 6 credits – conference course

## **INVOLVEMENT IN MASTER AND DOCTORAL CANDIDATES' COMMITTEES**

Master's thesis committee, Dublin City University, Dublin, Ireland, 2010-2011

Master's thesis committee, Youngstown State University, Youngstown, OH,  
2012-2013

### **INVOLVEMENT IN COMMITTEES**

Committee to propose the Spots Medicine and Applied Biomechanics laboratory  
as a Center of Excellence - 2017

Academic Grievance Subcommittee – Acting Judicial Chair – 2015-current  
Wellness Steering Committee 2015-current

Chairperson Development Committee 2015-current

Department search committee for new faculty member in athletic training,  
2015, 2016

Committee to assess the need of a new Master of Athletic training program,  
propose to University and State of Ohio – Chair of Committee - 2014-2016

Rich Center Board Member 2010 - 2014

Department search committee for new faculty member in exercise science,  
2010, 2012,2013

Chair, Department Assessment Committee for Exercise Science, 2008-2014  
Academic Senate, 2010-2014

Department search committee for new faculty member in health promotion, 2010

Chair of the University FIL and Sabbatical Committee, 2010

Member of the Rich Center for Autism search committee for senior researcher for  
this new Center of Excellence, 2010

University search committee: Wellness Coordinator for Andrews Recreation  
Center, 2012

University search committee: Research Faculty position for the Rich Center,  
2011-2012

Diversity Committee chaired by Tammy King, 2010-2011

General Education Committee meeting, 2011

Served on the College Curriculum Committee, 2008-2009

Autism Academic Vision/Plan for Rich Center at YSU, 2008

Member of the University Higher Learning Commission Accreditation  
Committee, 2006-2007

Rich Center as a niche site committee appointed by Provost Khawaja, 2007

Department Tenure Committee, 2007

Served on the BCHHS Faculty Development Review Committee, 2007-2008

Nominated member of the Senate Ad Hoc committee on University Tenure and  
Promotion, 2007

### **PUBLICATIONS**

**Pintar, J.A., K. Learman.** “Methods of measuring muscular trunk fitness”. Currently  
in revision.

Ellis, A., **J.A. Pintar,** K. Learman. “Reliability and Concurrent Validity of  
Abdominal Strength and Endurance Tests in Children”. Currently in revision

Learman KE, **Pintar JA,** Ellis AR. “The Effect of Abdominal Strength and Endurance  
Exercises on Abdominal Peak Torque and Endurance Field Tests: A Randomized

- Controlled Trial". *Physical Therapy in Sport* 16(2) · August 2014
- Pintar, J. A., N.Moyna, F.J. Bosso.** "Effect of Fitness Level, Gender, and Exercise Duration on Self-Selected Intensities on a Treadmill". Currently in manuscript. 2013
- Pintar, J.A., K.L. Storti, V. Arena, R.J. Robertson, E.N. Nagle, A.M. Kriska.** "What is the role of adolescent body mass index and physical activity on adult health risk behaviors?" *Open Journal of Preventive Medicine.* 2(1):72-78. 2012.
- Pintar, J.A., K. Learman, R. Rogers.** "Traditional Exercises Do Not Have a Significant Impact on Abdominal Peak Force in Healthy Young Adults" *J Strength Cond Res.* Oct;23(7):2083-9.2009
- Pintar, J., R. Robertson, A. Kriska, E. Nagle, F. Goss.** The Influence of Fitness and Body Weight on the Selection of Preferred Exercise Intensity. *Med. Sci. Sports Exerc.* May; 38(5):981-8. 2006.
- Pintar, J.A., T.J. Michael, F.J. Bosso, N.M. Moyna.** Effect of Activity Level, Gender, and Exercise Duration on Self-Selected Intensities. *Medicine and Science in Sports and Exercise.* 2003; 35(5).
- Pintar, J.A., A. Kriska, E. Nagle, R.J. Robertson, F.L. Goss.** The Influence of Fitness and Fatness on Exercise Intensity Selection while Walking on a Treadmill. *Medicine and Science in Sports and Exercise.* 2002; 34(5)
- Moyna, N.M. R.J. Robertson, C.L.Meckes, **J.A. Peoples**, N.B. Millich, and P.D. Thompson. Intermodal comparison of energy expenditure at exercise intensities corresponding to the perceptual preference range. *Med. Sci. Sports Exerc.* 33:1404-1410, 2001.
- Also appeared in Fitness Management October 2001 edition
  - Also appeared in Muscle Media
- Robertson, R.J., F.L. Goss, N.Boer, J.D. Gallagher, T. Thompkins, K. Bufalino, G. Balasekaran, C. Meckes, **J.Pintar**, A. Williams. OMNI scale perceived exertion at ventilatory breakpoint in children: response normalized. *Med Sci Sports Exerc.* 33:1946-1952, 2001.
- Goss F, Robertson R, Riechman S, Zoeller R, Dabayeb I, Moyna N, Boer N, **Peoples J**, Metz K. Effect of potassium phosphate supplementation on perceptual and physiological responses to maximal graded exercise. *Int J Sport Nutr Exerc Metab.* 2001;11:53-62.
- Robertson, R.J., F.L. Goss, N.F. Boer, **J.A. Peoples**, A.J. Foreman, I.M. Dabayeb, N.B. Millich, G. Balasekaran, S.E. Riechman, J.D. Gallagher, and T. Thompkins. Children's OMNI Scale of Perceived Exertion: mixed gender and race validation. *Med. Sci. Sports Exerc.* 32(3): pgs 452- 8, 2000.

## GRANTS

- Center for Excellence – Sports Medicine and Applied Biomechanics - Grant awarded as part of a nine person team (3/2017)
- Mindfulness among veterans and nonveterans (\$5000) Centafonti Grant (10/2015)
- Submitted and awarded URC grant for \$500 to assist in the study of muscular endurance tests among children grades K-8. (11/2011)

- Submitted The Mindfulness Institute Project (MIP) grant for \$400,000 requested through Congressman Tim Ryan. This grant was submitted with Dean Mosca and Dean Ginnetti. (2/2010)
- Submitted and awarded the Bitonte Research Grant in the amount of \$1200 (4/2010) to study muscular endurance tests among children grades K-8.
- Received grant from Rich Center for Autism. It was a combined grant with Suzanne Gufrie from Physical Therapy. My portion worked with motor skills among children with autism. (\$3,030)
- Co-author of a \$10,000 grant from General Mills. Sent January 30, 2007 through the Rich Center for the Study and Treatment of Autism. This grant was awarded.
- Provided assistance with the authorship of the Rich Center Intertech grant. This grant was awarded. During the ceremony, attended by President Sweet, Provost, Mayor and many local TV stations, I was interviewed by the Vindicator about my research studies at the center and what the new grant means to the research. (\$100,000 grant)
- University Research Council for RPE study in children with autism (\$2,700) (4/05)
- Professional Development Grant to explore coaching psychology for fitness goals (2006, 2007)
- Received \$2305.00 from the Paula and Anthony Rich Autism Grant Fund for a study entitled, *Physical and Perceptual Effects of Exercise in Children with Autism*. (4/04)
- Received 2 research assistant grants for \$1500.00 (5/04) for work on the study, *Physical and Perceptual Effects of Exercise in Children with Autism*.
- Received 1 research assistant grant for \$1500.00 (5/04) for work on the study, Comparison and Contrast of Static and Ballistic Stretching
- Along with undergraduate student, Alyssa Goist, successfully applied for \$500 Undergraduate Student Research Grant (12/03).
- Along with Frank Bosso and Nicole Mullins, successfully applied for equipment grant for the Department (\$9,950). Awarded from the College DAC instructional equipment funds (11/03)
- Received \$500 grant from the University Research Council small grant program for a study entitled, *Assessing the Physical Activity, Health Behavior Perceptions and Attitudes Within the Student Population of the National Youth Sports Program at Youngstown State University*. (6/2003)
- Received 2 research assistant grants for \$1500.00 (5/2003) for work on the study, *Physical and Psychological Benefits of Aerobic Dance for Children with Autism*.
- Received \$3,300.00 from the Paula and Anthony Rich Autism Grant Fund for a study entitled, *Physical and Psychological Benefits of Aerobic Dance for Children with Autism*. (3/03)
- Received \$1000 for Reimbursement for Advanced Studies to become certified in Pilates (2003).
- Received \$4500.00 grant from University Research Council for a study entitled, *The Influence of Training Frequency on the Development of Abdominal Strength* (4/12/02).

- Received 2 research assistant grants for \$1500.00 (4/02) for work on the study, *The Influence of Training Frequency on the Development of Abdominal Strength*.

## PRESENTATIONS

- Pintar, Jennifer. Seventh International Conference on Sport and Society. June 2016. Honolulu, Hawaii. *Mindfulness and Sport Performance: A Literature Review*.
- Cadman, Alyson. I served as faculty advisor for Alyson Cadman's presentation on muscular endurance testing for students grade K-8 at the Ohio Physical Therapy Association. April 8, 2011.
- Pintar, J. A., K.L. Storti, R.J. Robertson, FACSM, V.C. Arena, E. Nagle, A. Kriska, FACSM. National American College of Sports Medicine Conference in Baltimore, MD, June 2010. *The Impact of Body Mass Index and Physical Activity on Drinking and Smoking Behaviors*.
- Taylor, C. I served as the faculty mentor for Cherub Taylor's presentation on exercise and autism for the March 9-11/2007 Stars Conference at BGSU.
- Pintar, J.A. Guest lecturer of CPE day regarding Facts and Fallacies of Exercise, 2005
- Pintar, J.A., D.J. Aaron, A.M. Kriska. *Tracking of Health Indicators in Adolescents*. The American College of Sports Medicine National Convention, Indianapolis, Indiana. June 5, 2004.
- Pintar<sup>1</sup>, J. A., T J Michael, F J Bosso<sup>1</sup>, and N M Moyna (FACSM), <sup>1</sup>Youngstown State University, OH, Western Michigan University, MI and Dublin City University, Ireland. *Effect of Fitness Level, Gender, and Exercise Duration on Self-Selected Exercise Intensities*. The American College of Sports Medicine National Convention, San Francisco, California. June 5, 2003.
- Pintar, J., A. Kriska, E. Nagle, F. Goss, R.J. Robertson. *The Influence of Fitness and Fatness on the Selection of Exercise Intensity while Walking on a Treadmill*. Presented at the American College of Sports Medicine National Convention, St. Louis, Missouri, May, 2002.
- Pintar, J. *The Importance of Physical Fitness for College-Aged Women*. Presented during Women's Health Month. Youngstown, OH. September 25, 2002.
- Pintar, J. *Physical Activity and the Minority Community*. Presented at the Minority Enrichment Health Fair. YWCA of Youngstown, OH. April 18, 2002.
- Pintar J. *Promoting Physical Fitness Among Overweight Children* Presented for the KidFit program. Youngstown, OH. June 7, 2002.
- Pintar, J., A. Kriska, E. Nagle, F. Goss, R.J. Robertson. *The Influence of Fitness and Fatness on the Selection of Exercise Intensity while Walking on a Treadmill*. Presented at the University of Pittsburgh Department of Human Performance and Exercise Science. December, 2001
- Pintar, J. *Teaching Physical Fitness for Children*. Presented at the Northeast Ohio Education Association (NEOEA), Day Seminar. Youngstown, OH. October 12, 2001.
- Pintar, J. *Asthma and Exercise*. Presented for The Community Asthma Project. YWCA of Youngstown, OH. November 20, 2001.

## PROFESSIONAL DEVELOPMENT

- 2015 Reviewer for textbook, "Coaching Psychology Manual", Second Edition by Margaret Moore, Erika Jackson, and Bob Tschannen-Moran. Published by Wolters Kluwer.
- 2013 Took 18-week teleconference course in Wellcoaches through American College of Sports Medicine to sit for the Health Coaching certification
- 2012 Accepted to the Youngstown State University Masters of Business Administration program
- 2012 Attended Omega conference on Mindfulness Based Stress Reduction with Jon Kabat-Zinn and Saki Satorelli
- 2012 Currently serving as a mentor to a master's student in the public health program
  - o 4 courses are being conducted under my guidance
- 2010-11 Master's thesis committee, Dublin City University in Dublin, Ireland
- 2010 Attended Mindfulness Based Stress Reduction program for the Center for Mindfulness in Medicine, Health Care, and Society in Worcester, MA
- 2010 Attended National American College of Sports Medicine Conference in Baltimore, MD
- 2010 Reviewer for manuscript, "Response Normalized OMNI Rating of Perceived Exertion at the Ventilatory Breakpoint in Division I Football Players" F. Goss, R. Robertson, M. Gallagher, Jr., A. Piroli, and E. Nagle
- 2010 HPES 4890: Undergraduate Research. Mentor for research projects.
  - Lauren Masters – Flexibility assessment
  - Alyson Cadman – Measurement of muscular endurance among children
- 2010 HPES 4880: Internship. Mentor for research projects.
  - John Dunfee (Plank study)
  - Nicole Harlamapolous (sport and children research)
- 2010 Quality Matters Reviewer Certification for online courses
- 2009 Attended Wellcoach Seminar on goal setting and coaching format
- 2008 Faculty member of the Consortium of Eastern Ohio Masters of Public Health (CEOMPH), 2008-current.
- 2008 Reviewer for article entitled "Let them roam free? Physiological and Psychological evidence for the potential of self-selected exercise intensity in public health" by Dr Panteleimon Ekkekakis for the journal Sports Medicine.
- 2008 Served as reviewer for the textbook 'ECG Interpretation for the Exercise Science Student' by Barry Saul through Lippincott Williams Wilkins.
- 2007 Attended the 2007 Club Industry Conference in Chicago, IL and earned continuing education credits
- 2006 Served as a reviewer for a manuscript for the Journal of Cardiopulmonary Rehabilitation entitled, 'Influence of Self-Efficacy on the Functional Relationship between Ratings of Perceived Exertion and Exercise Intensity' (JCR #0650)
- 2006 Reviewed *ECG Interpretation for the Exercise Scientist* published by Lippincott, Williams and Wilkins.

- 2005 Reviewed textbook (*NASM Optimum Performance Training*) published by Lippincott, Williams and Wilkins.
- 2004 *Muscular Strength, Power and Endurance Training: Exercise Prescription and Progression Strategies for Individuals with Chronic Disease* published by Delmar.
- 2004 Reviewed the text entitled, *Fitness and Wellness for Life* from Delmar publishers
- 2004 Received graduate faculty status (associate level)

#### **AWARDS**

- 2016 Phi Kappa Phi Honors Society Chapter 143
- 2013 Distinguished Professorship Award for Excellence in Teaching
- 2005 Faculty Fellow Award for Rich Center for the Study and Treatment of Autism
- 2004 Faculty Improvement Leave awarded to complete a number of research studies
- 2003 Distinguished Professorship Award for Excellence in Teaching
- 2003 Northeast Ohio Council on Higher Education “Celebration of Teaching Excellence” Award
- 2003 Ohio Magazine Excellence in Education Award
- 2001 Honorary Member of the Golden Key National Society. Nominated by a student.

**RESOLUTION TO APPROVE  
THE SELECTION OF AN ASSOCIATE VICE PRESIDENT FOR  
TECHNOLOGY AND CHIEF INFORMATION OFFICER**

**WHEREAS**, a vacancy occurred in the Division of Finance and Business Operations upon the resignation of Kenneth A. Schindler in September 2016; and

**WHEREAS**, the Board of Trustees approved the authorization of a search in accordance with University Policy, 3356-9-02 Selection and Annual Evaluation of Administrative Officers of the University and this position is eligible for a multiple-year contract pursuant to University Policy, 3356-7-35; and

**WHEREAS**, candidates were identified from an applicant pool obtained as a result of a national search process and recommended by the search committee; and

**WHEREAS**, a search was completed with a candidate being selected from a list of three finalists recommended by a search committee;

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Trustees of Youngstown State University does hereby approve the appointment of James A. Yukech to the position of Associate Vice President for Technology and Chief Information Officer.

**FURTHER, BE IT RESOLVED**, that James A. Yukech receive a multiple-year contract commencing on September 16, 2017.





YOUNGSTOWN STATE UNIVERSITY

Issue Date: 1/17

Salary Range: H12 Excluded

Reviewed By: KR/CT

FLSA Review: Exempt

Hiring Range: \$145,000 - \$175,000

**TITLE:** Associate Vice President for Technology & Chief Information Officer**DEPARTMENT:** Information Technology Services (ITS)**JOB SUMMARY:**

Provides strategic vision and leadership to align and optimize enterprise technology services with business strategies and goals. Balances enterprise Information Technology (IT) service delivery risks with service responsiveness. Serves as a senior advisor to the President, Vice Presidents, Deans, and other constituencies on policies related to institution-wide technology services. Establishes, reviews, and recommends IT governance, frameworks, organizational structure, strategic direction, goals, processes, policies, productivity measures, and procedures. Responsible for overall leadership, direction and management of operational, financial, and personnel resources and activities. Promotes a technology culture of service, security, urgency, and accountability.

**ESSENTIAL FUNCTIONS & RESPONSIBILITIES:**

Provides strategic vision and leadership to align and optimize enterprise technology services with business strategies and goals. Develops, recommends, and implements short term and long range strategies and solutions to support the University's enterprise technology and information needs. Motivates positive culture change through actions and communications to maintain a high performing, flexible, and agile technology organization focused on service, security, urgency, and accountability.

Oversees systems and infrastructure improvements to enhance the availability and accessibility of IT-enabled business process services aligned with institutional goals. Promotes implementation of new services that increase functionality and profitability based-upon emerging technologies (e.g., online learning, mobile and social computing, cloud services, etc.). Develops organizational resources to improve access to system-based, business process information for decision-making purposes.

Provides general oversight and direction to units within the division of Information Technology Services. Develops and implements plans for IT Governance within a structure of University governance enforcing standards for, and adoption of, an enterprise services delivery framework that includes priority setting, accountability, project/change management and performance measurement. Establishes, reviews, and recommends changes to organizational structure, strategic direction, goals, processes, policies, productivity measures, and procedures related to University's technology infrastructure and services.

Responsible for risk management and mitigation associated with overall enterprise IT services security, availability and change. Balances overall enterprise IT service delivery risks with service responsiveness. Identifies and addresses IT organization talent gaps and works to ensure technology services stability through the active retention of technology skills leaders. Interviews and selects staff, especially as related to technology leadership. Evaluates performance and addresses divisional personnel and disciplinary matters as needed. Establishes and evaluates system and security measures and adherence to internal controls to safeguard information resources. Reviews security and compliance with data processing auditors and specialists to maintain a secure and reliable computing and networking environment.

**Agenda Item H.4.e  
Support Material**

Engages and advises University administration on issues regarding technology and information systems. Cultivates relationships within the institution, with business partners and with higher education colleagues to shape and inform expectations for an IT-enabled enterprise. Represents technology matters and provides leadership in state and local activities. Communicates Information Technology Services performance in business-relevant terms. Develops and implements ITS communications strategy. Promotes a service-menu, industry standards based (e.g., Tier 1-4 data center) and a Total Cost of Ownership (TCO) basis approach to delivery of enterprise IT services.

Examines and collaborates regarding Return on Investment (ROI), or value proposition, of proposed new technology services, service upgrades and significant IT projects. Works to control IT costs with a strong focus on business value basis of IT services. Transforms costs as possible through adoption of emerging technologies. Develops divisional budget recommendations and evaluates expenditures of IT area signature authorities. Explores long-term possibilities to establish cost-based services into profit-based services. Oversees software and hardware maintenance agreements and contractual services agreements, and maintains dialogue with external service providers and vendors.

**OTHER FUNCTIONS AND RESPONSIBILITIES:**

Performs other related duties as assigned.

**SUPERVISION EXERCISED:**

Administrative and functional supervision is exercised over approximately 65 full-time and 5 part-time employees.

**REPORTS TO:** Vice President, Finance & Business Operations

**PHYSICAL REQUIREMENTS:** None

**MINIMUM QUALIFICATIONS:**

Graduate Degree. 10 years' experience as an administrator of Information Technology based services with escalating authority and budgetary responsibility.

**PREFERRED QUALIFICATIONS:**

Experience as an IT administrator in a higher education environment; demonstrated ability to plan and implement IT based services for academic and non-academic systems.

Demonstrated ability to work with senior higher education administrators; demonstrated ability to manage large and/or complex projects; creativity and/or vision in the application of IT to academic and business systems. Ability to think outside the box.

Excellent oral and written communications skills, especially the ability to communicate technical issues to a non-technical audience; excellent financial and human resource skills.

# JAMES A. YUKECH

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## IT EXECUTIVE / CHIEF INFORMATION OFFICER

Motivated technology Executive with vast experience of healthcare information technology and operations. Proven leader and value "maximizer," skilled in leveraging experience and relationships, administering multimillion-dollar budgets, and implementing cost-saving initiatives significantly reducing IT expenses. Known for strategic thinking and problem solving. Thrives in a dynamic and fluid environment while remaining realistic and focused. Possesses the unique ability to translate technical jargon into layman's terms for internal or external customers.

### PROFESSIONAL EXPERIENCE

**INNOVATIVE IT CONSULTING SERVICES, LLC – Youngstown, Ohio** **September 2016-present**  
*Providing IT consulting services in the Healthcare and Higher Education vertical markets throughout NE Ohio and W Pa.*

#### **Associate Vice President / Interim Chief Information Officer Youngstown State University**

- Collaborating with the CIO's at University of Toledo, Wright State and Miami of Ohio through the IUC-CIO group, created a model for the respective Banner Application teams to collaborate on the Banner 9 Upgrade. This group of CIO's is also assessing opportunities to leverage our collective buying power to reduce our overall ERP spend through a coterminous ERP Master Services Agreement. Savings to YSU is expected to exceed \$100,000 annually.
- Authored the refresh of the YSU IT Master Plan aligning with the YSU Strategic Plan four cornerstones.
- Conceived the Student Mobility Technology Spot (aka "Genius Bar") concept and facilitated implementation of the first one for Summer of this year in Kilcawley Center.
- Led the technical team to engineer and design a "High Availability" Data Center infrastructure to optimize compute availability and resiliency.
- Facilitated and implemented an organizational redesign to optimize ITS operations.
- Championed and implemented an IT shared Governance model to promote prioritization of all IT services.
- Submitted the Ohio Innovation Grant (\$300,000) to support the startup and implementation costs for five "Genius Bars" that will support student mobility. Award expected July 2017.

**MERCY HEALTH (formerly Catholic Health Partners) – Cincinnati, Ohio** **2002 - 2015**  
*A \$4.3 billion non-profit Catholic health system encompassing eight geographical markets throughout Ohio and Kentucky, encompassing 23 hospitals and over 450 locations.*

**Corporate Vice President, I.T. Relationship Mgt / Associate Chief Information Officer** (2010 – 2015)  
Administered \$215 million OPEX / \$50 million CAPEX budget; seven direct reports, 20 employees, virtually matrixed 400 employees

- Appointed, as an extension of the Office of the CIO, the resident CIO for the Youngstown, Lorain and Cleveland Markets encompassing 10 acute care sites and 100+ non-acute care sites over three geographical markets in Northern Ohio ensuring alignment of business/clinical priorities for IT initiatives.
- Conceived and implemented the Market Technology Advisory Committee (MTAC) which provided IT Governance at the Market-level for prioritization of enterprise IT services.
- Collaborated closely with Market C-Suite to align business and clinical initiatives with IT initiatives and prepare business case, 5-year TCO and ROI for early stage IT initiatives.
- Coordinated with the Corporate CIO and Gartner consulting to develop and implement a centralized Shared Services organizational structure for Information Services consolidating nine IT groups into one, 400 employee virtually matrixed IT organization.
- Spearheaded the IT Rationalization and Standardization initiative resulting in a reduction of 1,400 applications to less than 800 over a two-year period saving more than \$11 million in application maintenance expense.
- Authored the refresh of the Mercy Health IT Strategic Plan aligning the IT strategy with the business and clinical strategic transformation to Population Health Management.
- Lead the M&A effort through management of a two-year Transitional Services Agreement for incorporating the acquired Health Insurance business unit (aka HealthSpan) from Kaiser Permanente, standardizing the application portfolio of the combined business unit and reducing IT operational costs by over \$8 million.

**PROFESSIONAL EXPERIENCE CONTINUED**

**Corporate Vice President, Chief Technology Officer** (2007 – 2010)  
Administered \$40 million OPEX / \$15 million CAPEX budget; two executive direct reports, primary responsibility for outsourced data center and technology services

- Served as a core EMR Selection Committee member, selecting EPIC EMR for Enterprise implementation and establishing the EMR Inpatient and Ambulatory standard for all acute and non-acute care sites.
- Engaged internal technology, market leaders and EPIC technology leaders to develop a technical strategy for implementing EPIC EMR (internally branded as CarePATH) and to establish the technical blueprint for Enterprise implementation.
- Appointed as the main facilitator in developing the outsource agreement for Technical Services to Perot Systems, subsequently with Dell Systems, resulting in a 20% decrease in operational expense in Year 1.
- Negotiated the first corporate Cisco purchasing and support contract, as well as several other enterprise IT contracts realizing \$2 million in operational cost reduction over three years.

**Corporate Vice President, Data Center Executive** (2002 – 2007)  
Administered \$23 million OPEX / \$7 million CAPEX budget; nine direct reports, 70 employees

- Consolidated 10 regional Data Centers into two corporate Mega Data Centers which resulted in a \$4.5 million reduction in operational costs in the first year.
- Created two mirrored EMR hot site Mega Data Centers "from the ground up" - selected physical location for both Mega Data Center sites, recruited and hired Leadership Team/key technical staff members, prepared initial budget/ROI and developed a strawman of the project implementation timeframe.
- Both Mega Data Centers were operational with all 10 regional Data Centers consolidated within eighteen months – on time and under budget.

**RELATED PROFESSIONAL EXPERIENCE**

**HUMILITY OF MARY INFORMATION SYSTEMS – Youngstown, Ohio** 1995 - 2002  
*Formerly the consolidated Information Services group responsible for providing services to the Humility of Mary Health Care System (HMHCS) prior to their merger with Catholic Health Partners. HMHCS encompassed three hospitals and over 50 locations.*

**Senior Director, Business Applications & Customer Service**  
Administered \$5.8 million OPEX / \$1 million CAPEX budget; five direct reports, 35 employees

**Director, Project Services**  
Administered \$3 million OPEX / \$3 million CAPEX (included Y2K CAPEX); two direct reports, 25 employees

**Manager, Local Area Network (LAN) Applications**  
Administered \$1 million OPEX budget; managed six employees

**ST. ELIZABETH HEALTH CENTER (SEHC) – Youngstown, Ohio** 1989 - 1995  
*At the time of employment, SEHC was a fully integrated health system encompassing an 880-bed hospital designated as a Level-1 trauma center and a full spectrum of integrated ancillary services.*

Promoted three times within six years (Management Engineer, Senior Management Engineer to Assistant Director of Systems Management.)

**EDUCATION**

**Masters of Engineering in Engineering Management & Bachelors of Engineering in Industrial Engineering**  
Youngstown State University, Youngstown, Ohio

**BOARD OF DIRECTORS MEMBERSHIP / LEADERSHIP**

**Youngstown Business Incubator (YBI) – Current Board Chair** 2007-present  
*Rated #1 Business Incubator in the world during tenure as Board Chair  
Raised 10% of \$3 million goal as Fundraising Campaign Chair in 2014*

**RESOLUTION TO RATIFY  
PERSONNEL ACTIONS**

**WHEREAS**, the *Policies of the Board of Trustees* authorize the President to manage the University, including appointing such employees as are necessary to effectively carry out the operation of the University and any other necessary personnel actions; and

**WHEREAS**, new appointments and other personnel actions have been made subsequent to the June 14, 2017, meeting of the Board of Trustees; and

**WHEREAS**, such personnel actions are in accordance with the 2017-2018 Budget and with University policies 3356-2-02, Equal Opportunity and Affirmative Action Recruitment and Employment; 3356-9-02, Selection and Annual Evaluation of Administrative Officers of the University; 3356-7-42, Selection of Professional/Administrative Staff; and 3356-7-43, Externally Funded Professional/Administrative Staff;

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Trustees of Youngstown State University does hereby ratify and confirm the personnel actions as listed in Exhibit **K** attached hereto.

**SUMMARY OF PERSONNEL ACTIONS**  
**Professional Administrative and Faculty Employees**  
**4/16/17 through 7/15/17**

**Appointments – 15**

**New Positions – 7** *(Notated with an asterisk \*)*

- Professional Administrative Staff – 5
- Professional Administrative Excluded – 1
- Professional Administrative Externally Funded – 1

**Replacement Positions – 8**

- Professional Administrative Excluded – 5
- Professional Administrative Externally Funded – 3

**Separations – 32**

- Professional Administrative Staff – 2
- Professional Administrative Excluded – 9
- Professional Administrative Externally Funded – 4
- Faculty – 17

**Reclassifications – 6**

- Professional Administrative Staff – 3
- Professional Administrative Excluded – 1
- Professional Administrative Externally Funded – 2

**Promotions – 8**

- Professional Administrative Excluded – 1
- Faculty – 7

**Transfers – 1**

- Professional Administrative Excluded – 1

## **Salary Adjustments/Position Audits – 6**

- Professional Administrative Excluded – 1
- Professional Administrative Externally Funded – 5

## **Salary Adjustments per CBA & BOT Policy – 13**

- Professional Administrative Staff – 9
- Professional Administrative Excluded – 3
- Faculty – 1

## **Displacements – 0**

## **Layoffs – 0**

**YOUNGSTOWN STATE UNIVERSITY  
PROFESSIONAL ADMINISTRATIVE AND FACULTY  
PERSONNEL ACTIONS 4/16/17 THROUGH 7/15/17  
APPOINTMENTS**

EMPLOYEE NAME	EMPLOYEE TYPE	POSITION TITLE	DEPARTMENT	CONTRACT/ APPOINTMENT	
				DATES	FTE SALARY
Ahjah Johnson*	APAS	Program Coordinator, Residence Life	Housing & Residence Life	7/5/2017	1.000 \$ 40,000.00
Ronald Markowitz*	APAS	Coordinator Adventure Recreation	Andrews Student Recreation & Wellness Center	5/1/2017	1.000 \$ 39,607.00
Ashley Riggleman*	APAS	Assistant Director, Research Services	Office of Research Services	4/17/2017	1.000 \$ 57,500.00
Michele Schaper*	APAS	Coordinator Systems Support	Provost VP - Academic Affairs	6/19/2017	1.000 \$ 59,000.00
Brandon Suverison*	APAS	Network Engineer	IT Infrastructure Services	5/16/2017	1.000 \$ 70,000.00
Marianne Cohol*	Excluded	Associate Director, Business Project Office	Chief Information Officer	6/16/2017	1.000 \$ 100,000.00
Greg Moring	Excluded	Associate Dean CCAC	Art	7/1/2017	1.000 \$ 103,000.00
Martha Pallante	Excluded	Associate Dean Professor	Dean - CLASS	5/16/2017	1.000 \$ 103,156.00
Stephanie Reed	Excluded	Associate Director	Housing & Residence Life	6/19/2017	1.000 \$ 60,000.00
Shawn Varso	Excluded	Chief of Police	YSU Police	5/1/2017	1.000 \$ 90,000.00
Patricia Foltz	Excluded	Temporary Academic Advisor 1	Dean - College of Creative Arts & Communication	4/24/2017	0.250 \$ 10,400.00
Gregory Boerio*	Externally Funded	Associate Director	Rich Center for Autism	7/1/2017	1.000 \$ 82,000.00
Phyllis Johnson	Externally Funded	Temporary Internship Coordinator	Social Work	4/20/2017	0.250 \$ 14,250.00
Gabrielle Naples	Externally Funded	Instruction Specialist	Rich Center for Autism	5/16/2017	1.000 \$ 21,175.00
Amanda Van Fossan	Externally Funded	Instruction Specialist	Rich Center for Autism	5/16/2017	1.000 \$ 21,175.00
<b>*New Positions</b>					



**YOUNGSTOWN STATE UNIVERSITY  
PROFESSIONAL ADMINISTRATIVE AND FACULTY  
PERSONNEL ACTIONS 4/16/17 THROUGH 7/15/17  
SEPARATIONS**

<b>EMPLOYEE NAME</b>	<b>EMPLOYEE TYPE</b>	<b>POSITION TITLE</b>	<b>DEPARTMENT</b>	<b>DATE OF SEPARATION</b>	<b>FTE</b>	<b>SALARY</b>
Lenora Greene	APAS	Assistant Director	English Language Institute	7/14/2017	1.000	\$ 47,610.00
April Rock	APAS	Temporary Costume Shop Supervisor	Theater & Dance	5/15/2017	1.000	\$ 38,000.00
Michael Crist	Excluded	Interim AVP Student Success	Student Success	6/30/2017	0.750	\$ 82,500.00
Steven Donahue	Excluded	Temporary Academic Advisor	Kinesiology and Sport Science	5/6/2017	0.188	\$ 5,540.00
Patricia Foltz	Excluded	Temporary Academic Advisor 1	Dean - Creative Arts & Communication	5/31/2017	0.250	\$ 10,400.00
Rosemary Kent	Excluded	Temporary Counselor	Financial Aid & Scholarships	4/30/2017	0.400	\$ 16,640.00
Jane Kestner	Excluded	Associate Dean - CLASS	Dean - CLASS	5/15/2017	0.500	\$ 65,848.00
Kimberly Root	Excluded	Temporary Academic Advisor	Kinesiology and Sport Science	5/6/2017	0.188	\$ 5,540.00
Stephanie Smith*	Excluded	Director of Faculty Relations	Human Resources	7/15/2017	1.000	\$ 13,253.00
Jeff Trimble	Excluded	Manager Collection Services	Maag Library	4/19/2017	1.000	\$ 68,565.00
Cary Wecht*	Excluded	Associate Dean - CCAC	Dean - Creative Arts & Communication	6/30/2017	1.000	\$ 97,364.10
Calie Coppola	Externally Funded	Associate Director, Center for Human Services Development	Counseling, School Psychology & Educational Leadership	5/9/2017	1.000	\$ 50,000.00
Phyllis Johnson**	Externally Funded	Temporary Internship Coordinator	Social Work	7/15/2017	0.250	\$ 14,250.00
Li Sui	Externally Funded	Research Specialist	Applied Chemical Biology	6/30/2017	1.000	\$ 29,919.66
Marilyn Weaver	Externally Funded	Temporary Assistant Administrator	School Partnership	5/15/2017	0.500	\$ 23,517.00
James Andrews	Faculty	Professor	Physics & Astronomy	6/30/2017	1.000	\$ 86,919.00
Annette Burden	Faculty	Professor	Mathematics & Statistics	5/16/2017	1.000	\$ 78,959.00
Maria Delost	Faculty	Assistant Professor	Health Professions	5/16/2017	1.000	\$ 53,000.00

**YOUNGSTOWN STATE UNIVERSITY  
PROFESSIONAL ADMINISTRATIVE AND FACULTY  
PERSONNEL ACTIONS 4/16/17 THROUGH 7/15/17  
SEPARATIONS**

<b>EMPLOYEE NAME</b>	<b>EMPLOYEE TYPE</b>	<b>POSITION TITLE</b>	<b>DEPARTMENT</b>	<b>DATE OF SEPARATION</b>	<b>FTE</b>	<b>SALARY</b>
Lee Dosse	Faculty	Instructor	Mechanical & Industrial Engineering	5/16/2017	1.000	\$ 60,000.00
Theresa Duncko	Faculty	Assistant Professor	Teacher Education	5/16/2017	1.000	\$ 51,750.00
Julia Gergits*	Faculty	Professor	English	6/30/2017	1.000	\$ 110,359.00
Daryl Gross	Faculty	Instructor	School of Technology	5/30/2017	1.000	\$ 45,026.00
Kerri Henderson	Faculty	Instructor	Accounting & Finance	5/16/2017	1.000	\$ 38,687.94
Ellen Jones	Faculty	Assistant Professor	Theater & Dance	6/30/2017	1.000	\$ 56,145.90
Lashale Pugh	Faculty	Assistant Professor	Geography	5/16/2017	1.000	\$ 53,561.00
Christine Scherer	Faculty	Instructor	Nursing	5/16/2017	1.000	\$ 50,000.00
Kriss Schueller*	Faculty	Professor	Computer Science Information Systems	6/30/2017	1.000	\$ 140,352.00
Bonnie Thompson	Faculty	Clinical Assistant Professor	Nursing	5/31/2017	1.000	\$ 54,167.00
Jennifer Vaschak	Faculty	Instructor	Teacher Education	7/13/2017	1.000	\$ 39,857.41
Charles Vergon*	Faculty	Professor	Educational Foundations Research Technology & Leadership	6/30/2017	1.000	\$ 132,462.00
Nancy Wolfgang	Faculty	Assistant Professor	Theater & Dance/Dana School of Music	6/27/2017	1.000	\$ 56,382.55
Dennis Yommer	Faculty	Instructor	English	5/16/2017	1.000	\$ 38,689.00
*Department Chairperson/Director/Assoc. Dean returning to Faculty 8/16/2017						
**Additional .25 FTE assignment ended .5 FTE remains						

**YOUNGSTOWN STATE UNIVERSITY  
PROFESSIONAL ADMINISTRATIVE AND FACULTY  
PERSONNEL ACTIONS 4/16/17 THROUGH 7/15/17  
RECLASSIFICATIONS**

<b>EMPLOYEE NAME</b>	<b>EMPLOYEE TYPE</b>	<b>POSITION TITLE</b>	<b>DEPARTMENT</b>	<b>CONTRACT/ APPOINTMENT DATES</b>	<b>FTE</b>	<b>NEW SALARY</b>	<b>PREVIOUS SALARY</b>
Maura Picciano	APAS	Assistant Director Student One Stop	Registration & Records	5/1/2017	1.00	\$ 42,081.00	\$ 32,320.00
Carrie Stipanovich	APAS	Sr Counselor Student One Stop	Registration & Records	5/1/2017	1.00	\$ 36,593.00	\$ 32,329.92
Edward Villone	APAS	Police Academy Commander	Peace Officers Training Academy	3/1/2017	1.00	\$ 55,618.00	\$ 43,054.60
William Haas	Excluded	Director Engineering	Facilities Maintenance	5/1/2017	1.00	\$ 85,680.00	\$ 81,600.00
Tia May	Externally Funded	Classroom Supervisor	Rich Center for Autism	9/1/2016	1.00	\$ 41,154.00	\$ 38,154.00
Renee Mc Connell*	Externally Funded	Associate Director, Behavior Programming	Rich Center for Autism	5/16/2017	1.00	\$ 71,233.00	\$ 71,233.00
*Title change only							

**YOUNGSTOWN STATE UNIVERSITY  
PROFESSIONAL ADMINISTRATIVE AND FACULTY  
PERSONNEL ACTIONS 4/16/17 THROUGH 7/15/17  
PROMOTIONS**

<b>EMPLOYEE NAME</b>	<b>EMPLOYEE TYPE</b>	<b>NEW POSITION TITLE</b>	<b>DEPARTMENT</b>	<b>CONTRACT APPT. DATES</b>	<b>FTE</b>	<b>NEW SALARY</b>	<b>PREVIOUS SALARY</b>
Vaughn Myers	Excluded	Associate Director, Kilcawley Center	Kilcawley Center	6/16/2017	1.00	\$ 52,359.00	\$ 37,714.50
Brian Bonhomme	Faculty	Acting Chair and Professor	History	5/16/2017	1.00	\$ 95,641.00	\$ 77,959.00
Jeffrey Buchanan	Faculty	Professor and Chair	English	7/1/2017	0.80	\$ 84,049.50	\$ 62,367.50
Joy Christiansen Erb	Faculty	Acting Chair and Associate Professor	Art	7/1/2017	1.00	\$ 86,159.00	\$ 68,477.00
Amy Crawford	Faculty	Associate Professor and Acting Chair	Communication	7/1/2017	1.00	\$ 85,487.00	\$ 67,805.24
Adam Earnhardt*	Faculty	Professor and Chair	Communication	7/1/2017	1.00	\$ 93,356.00	\$ 85,159.00
Carol Lamb	Faculty	Director and Professor	School of Technology	7/1/2017	1.00	\$ 93,356.00	\$ 85,159.00
Jake Protivnak	Faculty	Professor and Acting Chair	Counseling, School Psychology & Educational Leadership	7/1/2017	1.00	\$ 93,356.00	\$ 85,159.00
*Promoted effective 7/1/2017 on Sabbatical receiving 90% of salary \$84,020.40							

**YOUNGSTOWN STATE UNIVERSITY  
 PROFESSIONAL ADMINISTRATIVE AND FACULTY  
 PERSONNEL ACTIONS 4/16/17 THROUGH 7/15/17  
TRANSFERS**

<b>EMPLOYEE NAME</b>	<b>EMPLOYEE TYPE</b>	<b>POSITION TITLE</b>	<b>DEPARTMENT</b>	<b>CONTRACT/ APPOINTMENT DATES</b>	<b>FTE</b>	<b>SALARY</b>
Nicole Kent Strollo	Excluded	Director, Student Outreach Support	Student Experience	7/1/2017	1.00	\$ 56,000.00

**YOUNGSTOWN STATE UNIVERSITY  
PROFESSIONAL ADMINISTRATIVE AND FACULTY  
PERSONNEL ACTIONS 4/16/17 THROUGH 7/15/17  
SALARY ADJUSTMENTS/POSITION AUDITS**

<b>EMPLOYEE NAME</b>	<b>EMPLOYEE TYPE</b>	<b>POSITION TITLE</b>	<b>DEPARTMENT</b>	<b>CONTRACT/ APPOINTMENT DATES</b>	<b>NEW FTE</b>	<b>NEW SALARY</b>	<b>OLD FTE</b>	<b>PREVIOUS SALARY</b>
Elaine Ruse	Excluded	Director	Financial Aid and Scholarships	7/1/2017	1.00	\$ 109,100.00	1.00	\$ 107,100.00
Gloria Counihan	Externally Funded	Instruction Specialist	Rich Center for Autism	3/1/2017	1.00	\$ 29,665.00	1.00	\$ 27,986.00
Melissa Chizmar	Externally Funded	Site Coordinator	Ctr for Human Services Dev	7/1/2017	0.74	\$ 31,450.00	0.60	\$ 25,500.00
Jean Fitch	Externally Funded	Site Coordinator	Ctr for Human Services Dev	7/1/2017	0.74	\$ 31,450.00	0.60	\$ 25,500.00
Amy Klingensmith	Externally Funded	Site Coordinator	Ctr for Human Services Dev	7/1/2017	0.74	\$ 31,450.00	0.60	\$ 25,500.00
Mary Rhodes	Externally Funded	Site Coordinator	Ctr for Human Services Dev	7/1/2017	0.74	\$ 31,450.00	0.60	\$ 25,500.00

**YOUNGSTOWN STATE UNIVERSITY  
PROFESSIONAL ADMINISTRATIVE AND FACULTY  
PERSONNEL ACTIONS 4/16/17 THROUGH 7/15/17  
SALARY ADJUSTMENTS PER CBA AND BOT POLICY**

EMPLOYEE NAME	EMPLOYEE TYPE	POSITION TITLE	DEPARTMENT	CONTRACT/ APPOINTMENT DATES	NEW FTE	NEW SALARY	OLD FTE	PREVIOUS SALARY
Hartup, Mollie	APAS	Assistant Director, University Events	University Events	7/1/2017	1.00	\$ 53,430.00	1.00	\$ 52,430.00
Henning, Karen	APAS	Senior Academic Advisor 1	Dean - Education	7/1/2017	1.00	\$ 55,211.00	1.00	\$ 54,211.00
Mark-Sracic, Susan	APAS	Assistant Director, Supplemental Instruction	Ctr for Student Progress	7/1/2017	1.00	\$ 44,941.00	1.00	\$ 43,941.00
Markowitz, Ronald	APAS	Coordinator Adventure Recreation	Andrews Student Recr & Wellness Ctr	7/1/2017	1.00	\$ 40,107.00	1.00	\$ 39,607.00
Mattiussi, Carla	APAS	Career Academic Advisor 2	Career and Academic Advising	7/1/2017	1.00	\$ 39,500.00	1.00	\$ 39,000.00
Padilla, Tessa	APAS	Coordinator Sport Clubs Camps	Club Sports	7/1/2017	1.00	\$ 40,107.00	1.00	\$ 39,607.00
Quaranta, Mary Jane	APAS	Academic Advisor 2	Dean - Business Administration	7/1/2017	1.00	\$ 40,398.00	1.00	\$ 39,398.00
Taraszewski, Stephen	APAS	Senior Institutional Research Analyst	Institutional Research & Analytics	7/1/2017	1.00	\$ 66,402.00	1.00	\$ 65,402.00
Thomas, Jennifer	APAS	Senior Financial Aid Counselor II	Financial Aid and Scholarships	7/1/2017	1.00	\$ 38,093.00	1.00	\$ 37,093.00
Fuhrman, Hillary	Excluded	Director of Assessment	Assessment	7/1/2017	1.00	\$ 65,260.00	1.00	\$ 64,260.00
Greene, Barbara	Excluded	Associate Director, Financial Analysis Report	Financial Aid and Scholarships	7/1/2017	1.00	\$ 71,000.00	1.00	\$ 70,000.00
Kessler, Sarah	Excluded	Associate Director Records	Registration & Records	7/1/2017	1.00	\$ 58,120.00	1.00	\$ 57,120.00
Patricia Wagner	Faculty	Associate Professor & Chair	Criminal Justice & Forensic Science	7/1/2017	1.00	\$ 84,836.00	1.00	\$ 83,836.00

**DIVIDER**

**INFORMATION**



**RESOLUTION IN MEMORIAM**

**FRANK C. WATSON**

**RESOLUTION IN MEMORIAM  
FRANK C. WATSON**

**WHEREAS**, on June 19, 1987, the Board of Trustees of Youngstown State University adopted a Resolution of Appreciation for the service of then-retiring trustee Frank C. Watson, recognizing his nine years of service to the University as a member of its Board of Trustees; and

**WHEREAS**, in that Resolution of Appreciation, the Board of Trustees recognized Mr. Watson's thoughtful, forceful and unselfish efforts and willingness to lend his talents and abilities to solve the many and varied problems of the University; and

**WHEREAS**, during his term as a Trustee, Mr. Watson's service to the Board included serving on its standing and ad hoc committees, serving as its Vice Chairman and Chairman and serving as the Campaign General Chairman of the YSU All Sports Complex; and

**WHEREAS**, Mr. Watson, his wife Norma, and their family have contributed millions of dollars toward projects dedicated to improving the University, including the All Sports Complex, the Recreation Center, the Watson and Tressel Training Site and the Frank and Norma Watson Student Success Center; and

**WHEREAS**, on August 7, 2017, hundreds of members of the University and Mahoning Valley communities said goodbye to Mr. Watson at a memorial service held on campus at the WATTS; and

**WHEREAS**, today, September 7, 2017, thirty years after the adoption of his Resolution of Appreciation, the Board of Trustees of Youngstown State University gratefully honors the memory of Frank C. Watson and the legacy of leadership and philanthropy that he and his family have bestowed upon YSU.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees of Youngstown State University honors the memory of, and expresses its gratitude to, Frank C. Watson for a lifetime of support of Youngstown State University and the Mahoning Valley.

**BE IT FURTHER RESOLVED** that the Board of Trustees of Youngstown State University extends its condolences to Mr. Watson's family and many friends.

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

**RESOLUTION IN MEMORIAM**

**HARRY MESHEL**

**RESOLUTION IN MEMORIAM  
HARRY MESHEL**

**WHEREAS**, in 1949, decorated World War II veteran Harry Meshel graduated from Youngstown College with a bachelor's degree in business after serving as the President of Student Council and the Vice President of his senior class; and

**WHEREAS**, after attaining a master's degree in urban land economics from Columbia University in 1950, Mr. Meshel returned to Youngstown and the Mahoning Valley where, a few years thereafter, he began a long and distinguished career in public service devoted to his community and *alma mater*; and

**WHEREAS**, in November of 1970, Harry Meshel was elected to the Ohio Senate for the 33<sup>rd</sup> District, where he served until April of 1993, and was forever thereafter known by two words: "The Senator;" and

**WHEREAS**, in 1977, Youngstown State University awarded Senator Meshel an honorary doctorate of humane letters; in 1986, the University named newly-constructed Meshel Hall in his honor; in 1994 Senator Meshel received the University's Distinguished Citizen's Award; and on May 28, 2007, Ohio Governor Ted Strickland appointed Senator Harry Meshel to the Board of Trustees of Youngstown State University; and

**WHEREAS**, during his nine-year trusteeship Senator Meshel was a passionate fiduciary of the institution that he loved, championing the rights and welfare of YSU students and the opportunity for those students to obtain quality higher education within their means; and

**WHEREAS**, Senator Meshel's support of Youngstown State University and its students is evident across campus, but is most profoundly manifested in the YSU Veterans Resource Center and his creation of eight scholarships in honor of his parents, brothers and sisters; and

**WHEREAS**, today, September 7, 2017, thirty years after the adoption of his Resolution of Appreciation, the Board of Trustees of Youngstown State University gratefully honors the memory of Harry Meshel.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees of Youngstown State University honors the memory of, and expresses its gratitude to, Harry Meshel, for his passionate support of Youngstown State University and the Mahoning Valley.

**BE IT FURTHER RESOLVED** that the Board of Trustees of Youngstown State University extends its condolences to Mr. Meshel's family and many friends.

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

# **OATH OF OFFICE**

**Capri S. Cafaro**

**OATH OF OFFICE**

I, Capri S. Cafaro, promise and swear to support the Constitution of the United States and the Constitution of the State of Ohio, and to faithfully discharge the duties of the office, as a Member of the Youngstown State University Board of Trustees to which I have been appointed by Governor John R. Kasich for the term designated. This I shall do as I shall answer unto God.

Capri S. Cafaro

STATE OF OHIO  
COUNTY OF Trumbull

Personally sworn to before me, a Notary Public in and for said County, and subscribed to my presence this 12<sup>th</sup> day of August, 2017.

Debra L. Curtis-Bonanno  
Notary Public

Debra L. Curtis-Bonanno  
Notary Public  
In and for the State of Ohio  
My Commission Expires  
September 13 2019

STATE OF OHIO  
**Executive Department**

OFFICE OF THE GOVERNOR

*Columbus*

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Capri S. Cafaro, from Hubbard, Trumbull County, Ohio, as a Member of the Youngstown State University Board of Trustees for a term beginning June 20, 2017 and ending at the close of business April 30, 2026, replacing Carole S. Weimer, whose term expired.



IN WITNESS WHEREOF, I  
have hereunto subscribed my name  
and caused the Great Seal of the State  
of Ohio to be affixed, at Columbus, this  
20th day of June in the year of our  
Lord, Two Thousand and Seventeen.

A handwritten signature in blue ink, appearing to read "John R. Kasich", is written over a horizontal line.

John R. Kasich  
Governor

## GOVERNOR'S APPOINTMENTS TO BOARDS AND COMMISSIONS

**Date:** 6/20/2017

**Name of Appointee:** Ms. Capri S. Cafaro  
**Address:** 658 Warner Rd.  
Hubbard, OH 44425  
Trumbull County  
(H) - 3305684069  
(W) -  
(M) - 3305026362

**Name of Commission:** Youngstown State University Board of Trustees  
**Contact:** Cindy Bell, Assistant to the President  
One University Plaza  
Youngstown, OH 44555  
(330) 941-3102

**Term Begins:** 5/1/2017  
**Term Ends:** 4/30/2026  
**Party Affiliation:** Democrat  
**Senate Confirmation:** Appointed by the Governor, confirmed by the Senate  
**Financial Disclosure:** Confidential disclosure required  
**Vice:** Carole S. Weimer

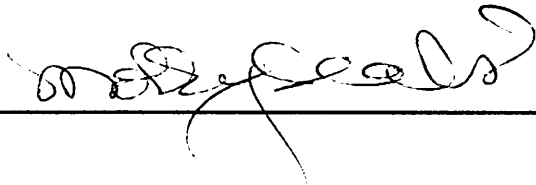


# **OATH OF OFFICE**

**Molly S. Seals**

**OATH OF OFFICE**

**I, Molly S. Seals, promise and swear to support the Constitution of the United States and the Constitution of the State of Ohio, and to faithfully discharge the duties of the office, as a Member of the Youngstown State University Board of Trustees to which I have been appointed by Governor John R. Kasich for the term designated. This I shall do as I shall answer unto God.**



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**STATE OF OHIO**

**COUNTY OF Mahoning**

**Personally sworn to before me, a Notary Public in and for said County, and subscribed to my presence this 29<sup>th</sup> day of June, 2017.**

M. J. Natale-Settling  
Notary Public

Com. Expires 6-10-2018

STATE OF OHIO  
*Executive Department*

OFFICE OF THE GOVERNOR

*Columbus*

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Molly S. Seals, from Canfield, Mahoning County, Ohio, as a Member of the Youngstown State University Board of Trustees for a term beginning June 20, 2017 and ending at the close of business April 30, 2024, replacing Charles R. Bush, who resigned.



IN WITNESS WHEREOF, I  
have hereunto subscribed my name  
and caused the Great Seal of the State  
of Ohio to be affixed, at Columbus, this  
20th day of June in the year of our  
Lord, Two Thousand and Seventeen.

A handwritten signature in blue ink, appearing to read "John R. Kasich", is written over a horizontal line.

John R. Kasich  
Governor

## GOVERNOR'S APPOINTMENTS TO BOARDS AND COMMISSIONS

**Date:** 6/20/2017

**Name of Appointee:** Ms. Molly S. Seals  
**Address:** 1295 Fox Den Trail  
Canfield, OH 44406  
Mahoning County  
(H) - 3307476013  
(W) - 3308847205  
(M) - 3303603572

**Name of Commission:** Youngstown State University Board of Trustees  
**Contact:** Cindy Bell, Assistant to the President  
One University Plaza  
Youngstown, OH 44555  
(330) 941-3102

**Term Begins:** 5/1/2015  
**Term Ends:** 4/30/2024  
**Party Affiliation:** Democrat  
**Senate Confirmation:** Appointed by the Governor, confirmed by the Senate  
**Financial Disclosure:** Confidential disclosure required  
**Vice:** Charles R. Bush

# **OATH OF OFFICE**

**Lexi Rager**

**OATH OF OFFICE**

**I, Lexi Rager, promise and swear to support the Constitution of the United States and the Constitution of the State of Ohio, and to faithfully discharge the duties of the office, as a Member of the Youngstown State University Board of Trustees to which I have been appointed by Governor John R. Kasich for the term designated. This I shall do as I shall answer unto God.**

Lexi Rager

**STATE OF OHIO**  
**COUNTY OF** Trumbull

**Personally sworn to before me, a Notary Public in and for said County, and subscribed to my presence this** 2nd **day of** June, 2017.



WENDY FARKAS  
Notary Public  
In and for the State of Ohio  
My Commission Expires  
August 10, 2018

Wendy Farkas  
**Notary Public**  
Wendy FARKAS

STATE OF OHIO

*Executive Department*

OFFICE OF THE GOVERNOR

*Columbus*

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Lexi Rager, from Youngstown, Mahoning County, Ohio, as a Member of the Youngstown State University Board of Trustees for a term beginning May 26, 2017 and ending at the close of business April 30, 2019, replacing Samantha Anderson, whose term expired.



IN WITNESS WHEREOF, I  
have hereunto subscribed my name  
and caused the Great Seal of the State  
of Ohio to be affixed, at Columbus, this  
26th day of May in the year of our  
Lord, Two Thousand and Seventeen.

A handwritten signature in blue ink, appearing to read "John R. Kasich", is written over a horizontal line.

John R. Kasich  
Governor

## GOVERNOR'S APPOINTMENTS TO BOARDS AND COMMISSIONS

**Date:** 5/26/2017

**Name of Appointee:** Miss Lexi Rager

**Address:** 91 Wick Oval St., University Courtyards, Bldg. #2, Unit 2302  
Youngstown, OH 44502  
Mahoning County  
(H) -  
(W) -  
(M) - 3309806589

**Name of Commission:** Youngstown State University Board of Trustees

**Contact:** Cindy Bell, Assistant to the President  
One University Plaza  
Youngstown, OH 44555  
(330) 941-3102

**Term Begins:** 5/1/2017

**Term Ends:** 4/30/2019

**Party Affiliation:** Democrat

**Senate Confirmation:** Appointed by the Governor, confirmed by the Senate

**Financial Disclosure:** Confidential disclosure required

**Vice:** Samantha Anderson