

# Board of Trustees Meeting - WEDNESDAY, SEPTEMBER 21, 2022

Youngstown State University - Board of Trustees  
Board Meeting Room, Tod Hall  
Sep 21, 2022 10:00 AM - 11:00 AM EDT

## Table of Contents

### I. Call to Order

CHAIR JAKUBEK THE 383rd MEETING OF THE BOARD OF TRUSTEES OF YOUNGSTOWN STATE UNIVERSITY WILL PLEASE COME TO ORDER. PLEASE RISE FOR THE PLEDGE OF ALLEGIANCE. SECRETARY SEALS, WILL YOU PLEASE CALL THE ROLL?

### II. Roll Call

SECRETARY SEALS MEMBERS OF THE BOARD OF TRUSTEES, PLEASE INDICATE YES WHEN I CALL YOUR NAME TO INDICATE YOUR ATTENDANCE:  
Trustee George Trustee Hackstedde Trustee Erzurum Trustee Jakubek Trustee Kerola Trustee Lyden Trustee Peterson Trustee Ryan Trustee Seals-I am recording myself as present Trustee Spiegel Trustee Lafferty Trustee Centofanti Trustee Khan

### III. Proof of Notice of the Meeting

CHAIR JAKUBEK WILL THE SECRETARY PROVIDE PROOF OF NOTICE OF TODAY'S MEETING? SECRETARY SEALS PURSUANT TO ARTICLE II, SECTION 1, OF THE BOARD'S BYLAWS; WRITTEN NOTICE OF TODAY'S MEETING WAS TIMELY PROVIDED TO EACH OF THE TRUSTEES, STUDENT TRUSTEES, NATIONAL/GLOBAL TRUSTEES AND TO THE PRESIDENT, AS WELL AS IT WAS PUBLICALLY NOTICED ON THE BOARD OF TRUSTEES WEBSITE AND TO THE MEDIA

### IV. Disposition of the Minutes for the Previous Meeting

CHAIR JAKUBEK DRAFT COPIES OF THE MINUTES OF THE BOARD'S REGULAR MEETING(S) HAVE BEEN PROVIDED TO THE TRUSTEES PRIOR TO THIS MEETING. ARE THERE ANY PROPOSED ADDITIONAL CHANGES? THERE BEING NO CORRECTIONS, ADDITIONS, OR DELETIONS THERETO, THE MINUTES OF THE MEETINGS ARE APPROVED AS PROVIDED.

### V. Oath of Office of New Trustee, Dr. Sergul A. Erzurum.....6

SECRETARY SEALS, WILL YOU PLEASE ADMINISTER THE OATH OF OFFICE TO A NEW MEMBER OF THE BOARD OF TRUSTEES, DR. SERGUL A. ERZURUM. SECRETARY SEALS ADMINISTERS THE OATH.

S Erzurum Oath of Office.pdf.....6

### VI. Report of the President of the University

CHAIR JAKUBEK PRESIDENT TRESSEL, DO YOU HAVE A REPORT FOR THE BOARD? PRESIDENT TRESSEL'S COMMENTS.

### VII. Presentations

CHAIR JAKUBEK WE WILL NOW HEAR FROM OUR SPEAKERS WHO WILL BE INTRODUCED BY PROVOST SMITH, OUR STUDENT TRUSTEES, AND THE SENIOR ASSOCIATE DIRECTOR OF ATHLETICS, REBECCA FINK.

#### A. Faculty Presentation - Dr. Jennifer Behney, Associate Professor, Department of

#### English and World Languages

Introduction by the Provost Brien Smith

**B. Student Presentation - Jasper Sharpless; Senior, Major: Anthropology**

Introduction by the Provost Brien Smith

**C. Student Organization Presentations - Baja Racing/ Society of Automotive Engineers and American Society of Civil Engineers**

Introductions by Student Trustees - Elsa Khan and Julie Centofanti

**D. Athletics Presentation - Rick Penniman, Head Coach; and Player, Wyatt Lefker, Track and Field**

Introduction by Rebecca Fink - Sr Assoc Athletics Director

**VIII. Reports of the Committees of the Board**

CHAIR JAKUBEK IN ACCORDANCE WITH THE BOARD'S PRACTICE, AND IN THE ABSENCE OF OBJECTION, THE COMMITTEES' RECOMMENDED RESOLUTIONS WILL BE CONSIDERED FOR ADOPTION BY UNANIMOUS CONSENT.

**A. Academic Excellence and Student Success Committee**

CHAIR JAKUBEK IS THERE AN OBJECTION TO THE ADOPTION OF THE RESOLUTIONS RECOMMENDED BY THE ACADEMIC EXCELLENCE AND STUDENT SUCCESS COMMITTEE LISTED IN THE AGENDA AS ITEMS A1 THROUGH A2? HEARING NO OBJECTION, THE CHAIR DECLARES THE RESOLUTIONS ADOPTED.

- 1. Resolution to Modify "The Student Code of Conduct" Policy, 3356-8-01.1....8**  
Resolution to Modify \_The Student Code of Conduct\_ Policy.pdf.....8
- 2. Resolution to Authorize Conferral of Honorary Degree.....159**  
Resolution to Authorize Conferral of Honorary Degree.pdf.....159

**B. Intercollegiate Athletics Committee**

CHAIR JAKUBEK IS THERE AN OBJECTION TO THE ADOPTION OF THE RESOLUTIONS RECOMMENDED BY THE INTERCOLLEGIATE ATHLETICS COMMITTEE LISTED IN THE AGENDA AS B1 THROUGH B3? HEARING NO OBJECTION, THE CHAIR DECLARES THE RESOLUTION ADOPTED.

- 1. Resolution to Modify Scheduling of Intercollegiate Athletics and University Sponsored and Recognized Student Organization Activities During Final Examination Period Policy, 3356-6-01.....161**  
Resolution to Modify - Scheduling of Intercollegiate Athletics University Sponsored & Recognized Student Organization Activities During Final Exam. Period.pdf.....161
- 2. Resolution to Rescind Intercollegiate Athletics Programs – Student-Athletes Policy, 3356-6-02.....166**  
Resolution to Recind - Intercollegiate Athletics Programs – Student-Athletes Policy.pdf.....166
- 3. Resolution to Modify and Retitle Governance of Intercollegiate Athletics Policy, 3356-6-03.....170**

Resolution to Modify & Retitle - Governance of Intercollegiate Athletics.....170

**C. Institutional Engagement Committee**

CHAIR JAKUBEK IS THERE AN OBJECTION TO THE ADOPTION OF THE RESOLUTIONS RECOMMENDED BY THE INSTITUTIONAL ENGAGEMENT COMMITTEE LISTED IN THE AGENDA AS ITEMS C1 THROUGH C2? HEARING NO OBJECTION, THE CHAIR DECLARES THE RESOLUTIONS ADOPTED.

**1. Resolution to Accept Gift of Real Estate.....183**

Resolution to Accept Gift of Real Estate for IE agenda September 2022 complete.pdf.....183

**2. Resolution to Modify Partnerships, Centers, and Related Arrangements Policy, 3356-10-22.....185**

Resolution to Modify Partnerships, Centers, and Related Arrangements Policy complete.pdf.....185

**D. Finance and Facilities Committee**

CHAIR JAKUBEK IS THERE AN OBJECTION TO THE ADOPTION OF THE RESOLUTIONS RECOMMENDED BY THE FINANCE AND FACILITIES COMMITTEE LISTED IN THE AGENDA AS ITEMS D1 THROUGH D4? HEARING NO OBJECTION, THE CHAIR DECLARES THE RESOLUTIONS ADOPTED.

**1. Resolution to Modify University Construction/Renovation Projects Policy, 3356-4-15.....195**

Resolution to Modify - University Construction-Renovation Projects.....195

**2. Resolution to Modify Key Control Policy, 3356-4-16.....202**

Resolution to Modify - Key Control Policy.pdf.....202

**3. Resolution to Approve Interfund Transfers Related to FY 2022 Year-End Operating Performance.....211**

Resolution to Approve Interfund Transfers Related to FY22 Year-End Operating Performance & Exhibit A.pdf.....211

**4. Resolution to Approve FY24 Housing and Courtyard Rates.....213**

Resolution to Approve Housing & Courtyard Rates & Other Charges.pdf.....213

**5. Report of the Audit Subcommittee**

CHAIR JAKUBEK TRUSTEE PETERSON/TRUSTEE SEALS, PLEASE PROVIDE THE REPORT FROM THE AUDIT SUBCOMMITTEE? Trustee Peterson/Trustee Seals provides a verbal report.

**E. Governance Committee**

CHAIR JAKUBEK IS THERE AN OBJECTION TO THE ADOPTION OF THE RESOLUTIONS RECOMMENDED BY THE GOVERNANCE COMMITTEE LISTED IN THE AGENDA AS E1 THROUGH E2? HEARING NO OBJECTION, THE CHAIR DECLARES THE RESOLUTION ADOPTED.

**1. Resolution to Amend the Bylaws of the Board of Trustees of Youngstown State University - Proposed Amendment.....219**

Bylaws Amendment Related to Quorum for Board Committees .....219

**2. Resolution to Approve Electronic Attendance of Board of Trustees'**

**Meetings Policy, 3356-1-13.....220**

Resolution to Approve - Electronic Attendance of Board of Trustees' Meetings  
policy (2).pdf.....220

**F. University Affairs Committee**

CHAIR JAKUBEK IS THERE AN OBJECTION TO THE ADOPTION OF THE RESOLUTIONS RECOMMENDED BY THE UNIVERSITY AFFAIRS COMMITTEE LISTED IN THE AGENDA AS ITEMS F1 THROUGH F5? HEARING NO OBJECTION, THE CHAIR DECLARES THE RESOLUTIONS ADOPTED.

**1. Resolution to Modify Outside Consulting/Employment Services – Faculty Policy, 3356-7-18.....223**

Resolution to Modify - Outside Consulting-Employment Services – Faculty  
Policy.pdf.....223

**2. Resolution to Modify Outside Consulting Services/Employment by Full-Time University Employees Policy, 3356-34.....233**

Resolution to Modify - Outside Consulting Services-Employment by Full-Time  
University Employees Policy.pdf.....233

**3. Resolution to Modify Public Records Policy, 3356-9-07.....241**

Resolution to Modify - Public Records Policy.pdf.....241

**4. Resolution to Modify Records Management Policy, 3356-9-09.....250**

Resolution to Modify - Records Management Policy.pdf.....250

**5. Resolution to Ratify Personnel Appointments (Faculty & P/A Staff, including Athletics).....261**

Resolution to Ratify Personnel Actions - Faculty & PA Staff including  
Athletics.pdf.....261

**G. Executive Committee**

CHAIR JAKUBEK IS THERE AN OBJECTION TO THE ADOPTION OF THE RESOLUTION RECOMMENDED BY THE EXECUTIVE COMMITTEE LISTED IN THE AGENDA AS ITEM G1? HEARING NO OBJECTION, THE CHAIR DECLARES THE RESOLUTION ADOPTED.

**1. Resolution to Select Interim President and Thereafter Conduct National Search.....277**

BOT Resolution Interim President Sept 2022.pdf.....277

**IX. Communications, Memorials, and News Updates**

CHAIR JAKUBEK PRESIDENT TRESSEL, ARE THERE ANY COMMUNICATIONS OR MEMORIALS TO COME BEFORE THE BOARD? President Tressel responds.

**X. Unfinished Business**

CHAIR JAKUBEK IS THERE ANY UNFINISHED BUSINESS TO COME BEFORE THE BOARD?

**XI. New Business.....278**

CHAIR JAKUBEK Given the Boards conversations yesterday across the various committees and in consideration of the fall 2022 14th-day Preliminary Enrollment Report, I move that the Resolution included in our materials be adopted by the Board. Is there a second? Trustee \_\_\_\_\_ has seconded the motion. Is there any discussion? All in favor say "yes"; those not in favor say "no"; are there any abstentions? The motion passes unanimously or via a vote of \_\_\_ to \_\_. Given the Boards conversation yesterday in Executive Committee regarding the Division of Workforce Education and Innovation, I move that the Resolution included in our materials be adopted by the Board. Is there a second? Trustee \_\_\_\_\_ has seconded the motion. Is there any discussion? All in favor say "yes"; those not in favor say "no"; are there any abstentions? The motion passes unanimously or via a vote of \_\_\_ to \_\_.

Resolution Related to the 14th-day Preliminary Enrollment Report for Fall 2022.pdf.....278

BOT Resolution Division of Workforce Education and Innovation.pdf.....288

**XII. Chairperson's Remarks**

CHAIR JAKUBEK OFFERS COMMENTS.

**A. Additional Comments by the President of the University (as warranted)**

**XIII. Dates and Times of Upcoming Regular Meetings of the Board**

CHAIR JAKUBEK THE CHAIR WILL ENTERTAIN A MOTION SETTING THE FOLLOWING DATES FOR THE NEXT REGULAR MEETINGS OF THE BOARD OF TRUSTEES. THE START TIME OF THE MEETINGS WILL BE DETERMINED VIA THE AGENDA SETTING PROCESS AND WILL BE ANNOUNCED WHEN EACH MEETING IS PUBLICALLY NOTICED. Friday, December 9, 2022 Thursday, March 2, 2023 Thursday, June 22, 2023

**XIV. Continuation of the Meeting of the Board of Trustees**

DR. JAKUBEK: THE BOARD WILL NOW MOVE TO THE TOD HALL LEADERS ROOM WHERE IT WILL GO INTO EXECUTIVE SESSION. THERE WILL BE NO FURTHER ACTIONS BY THIS BOARD. THEREAFTER, THE BOARD WILL ADJOURN THIS MEETING. IN TOD HALL LEADERS: Trustee Jakubek: I move that the Board enter Executive Session for the purposes of, " consideration of the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of one or more public employees or officials (O.R.C. 121.22(G) (1)) . Trustee Seals please conduct a roll-call vote and record the time-of-day we entered into and exited from Executive Session. Trustee George Trustee Erzurum Trustee Hackstedde Trustee Jakubek Trustee Kerola Trustee Lyden Trustee Peterson Trustee Ryan Trustee Seals-I am recording myself as yes Time entered Executive Session: \_\_\_\_\_ Time exited Executive Session: \_\_\_\_\_

**XV. Adjournment**

CHAIR JAKUBEK THERE BEING NO FURTHER BUSINESS TO COME BEFORE THIS BOARD, I DECLARE THIS MEETING ADJOURNED.

**OATH OF OFFICE**


**I, Sergul Ayse Erzurum, 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 Mike DeWine for the term designated. This I shall do as I shall answer unto God.**

  
\_\_\_\_\_  
(Appointee)



**STATE OF OHIO**  
**COUNTY OF Mahoning**

**Personally sworn to before me, a Notary Public in and for said County, and subscribed to in my presence this 21<sup>st</sup> day of June, 2022.**

  
\_\_\_\_\_  
**Notary Public**



LORRE A BRUNO  
NOTARY PUBLIC  
STATE OF OHIO  
Comm. Expires  
12-03-2023  
Recorded in  
Mahoning County

STATE OF OHIO  
*Executive Department*

OFFICE OF THE GOVERNOR

*Columbus*

I, Mike DeWine, Governor of the State of Ohio, do hereby appoint Sergul Ayse Erzurum, from Canfield, Mahoning County, Ohio, as a Member of the Youngstown State University Board of Trustees for a term beginning June 27, 2022 and ending at the close of business April 30, 2031, replacing James E. Roberts, 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 17th day of June in the year of our Lord, Two Thousand and Twenty Two.

*Mike DeWine*

Mike DeWine  
Governor



**RESOLUTION TO MODIFY  
“THE STUDENT CODE OF CONDUCT” POLICY, 3356-8-01.1**

**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 “The Student Code of Conduct” policy has been reviewed 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 “The Student Code of Conduct”, policy number 3356-8-01.1, shown as Exhibit \_\_ attached hereto. A copy of the policy indicating changes to be made is also attached.

**Board of Trustees Meeting  
September 21, 2022  
YR 2023-**



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

Responsible Division/Office:	Student Affairs / Dean of Students
Responsible Officer:	Dean of Students and Ombudsperson
Revision History:	March 1998; December 2010; June 2016; September 2017; September 2020; June 2021; September 2022
Board Committee:	Academic Excellence and Student Success
<b>Effective Date:</b>	<b>September 21, 2022</b>
Minor Revisions:	October 6, 2021 (paragraphs (D)(11), (E)(9)(a) and (E)(9)(c))
Next Review:	2027

---

- (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 policy 3356-7-20, "Drug-free environment" (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 dean of students and ombudsperson (hereinafter referred to as the dean of students). The dean of students, 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 community standards and 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 assistant dean of students for community standards, advocacy, and conduct (hereinafter referred to as the assistant dean of students). The student conduct administrator may also appoint one 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 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 this policy. 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.
  - (v) University conduct action may be carried out prior to, simultaneously with, or following civil or criminal proceedings.
  - (vi) 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.
- (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 dean of students, or designee, in consultation with the associate vice president for student experience. The policies and regulations that apply to student groups/organizations are outlined in the “Penguin Student Handbook,” which houses all student organization 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 dean of students, 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 to obtain an academic advantage, which includes falsification of documents or other information used to request makeup 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" (rule 3356-2-03 of the Administrative Code) for prohibited conduct based on an 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. See also university policy 3356-4-21, "Campus free speech" (rule 3356-4-21 of the Administrative Code) for harassment that is severe, pervasive, and objectively offensive).
- (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 student conduct process.
  - (f) Unwelcome or unreasonable behavior that harasses or intimidates a member of a student conduct body, participants, or witnesses prior to, during or after a student conduct proceeding, and is sufficiently severe or pervasive from both a subjective (the complainant's) and an objective (reasonable person) viewpoint.
  - (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 obstructs teaching, research, administration, or university activities or functions.
- (7) Drugs.
- (a) Use, possession, manufacturing, or distribution of marijuana, 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. Doing any act or coercing another, including the victim, to do any act of initiation into any student or other organization or any act to continue or reinstate membership in or affiliation with any student or other organization that causes or creates a substantial risk of causing mental or physical harm to any person, including coercing another to consume alcohol or a drug of abuse, as defined in section 3719.011 of the Revised Code.
- (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 unwelcome or unreasonable messages that harass or intimidate individuals or groups that are sufficiently severe or pervasive from both a subjective (the complainant's) and an objective (reasonable person) viewpoint.
  - (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 policy 3356-4-09, “Acceptable use of university technology resources” (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 harassment. Conduct on the basis of sex that satisfies one or more of the following categories:
  - (a) An employee conditioning the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct (i.e., quid pro quo). An individual does not have to submit to the conduct for quid pro quo sexual harassment to occur.
  - (b) Unwelcome conduct determined by the reasonable person's standard to be so severe and pervasive that it effectively denies a person equal access to an education program or activity (i.e., hostile environment).
  - (c) Sexual assault as defined in the Clery Act (which includes rape, fondling, incest, or statutory rape as defined in this paragraph).
    - (i) Rape (except statutory rape). The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person without the consent of the victim. See university policy 3356-2-05, "Title IX sexual harassment policy," rule 3356-2-05 of the Administrative Code, for definitions of consent, coercion, force, and incapacitation.
    - (ii) Fondling. The touching of the private body parts of another person for sexual gratification without the consent of the victim, including instances where the

victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.

- (iii) Incest. Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - (iv) Statutory rape. Sexual intercourse with a person who is under the statutory age of consent.
- (d) Dating violence, domestic violence, or stalking pursuant to the Violence Against Women Act (also defined in this paragraph).
- (i) Dating violence. 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 shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
  - (ii) Domestic violence. Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.
  - (iii) Stalking. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others, or suffer substantial emotional distress.

- (e) Sexual misconduct. Conduct of a sexual nature that is nonconsensual or is carried out through force, threat, or coercion. Sexual misconduct includes, but is not limited to, sexual exploitation and voyeurism.
  - (i) Sexual exploitation. Sexual exploitation occurs when a person takes nonconsensual or abusive sexual advantage of another for their 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, nonconsensual video or audiotaping of sexual activity, permitting others to secretly observe or record consensual activity or engaging in voyeurism.
  - (ii) Voyeurism. Voyeurism occurs when a person, for the purposes of sexual arousal or gratification sexual purposes, surreptitiously invades the privacy of another. Voyeurism can occur in person or through recording or electronic means.
- (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. Behavior which would constitute a violation of federal, state, or local law that adversely affects the university community or interferes with the university's mission or its educational objectives and programs.
  - (23) Weapons. Illegal or unauthorized possession of firearms, fireworks, explosives, other weapons, or dangerous chemicals on university premises or use of any such item, even if legally possessed, in a manner that harms, threatens, or causes fear to others.
  - (24) Sexual harassment as defined in Title IX of the Education Amendments of 1972 as set forth in university Title IX sexual harassment policy. (See rule 3356-2-05 of the Administrative Code and university policy 3356-2-05, "Title IX sexual harassment policy." Students, faculty, employees, volunteers, third parties, campus visitors and other individuals should refer to the Title IX policy referenced in this paragraph for processes and procedures under Title IX). The complaint, adjudication, resolution, and appeal process for an allegation of a Title IX violation, as well as possible sanctions, is delineated in university policy 3356-2-05, "Title IX sexual harassment policy."
- (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 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 community standards and 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. Additionally, students alleged to have violated the university’s sexual misconduct policy will 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 fifty per cent 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 email 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 the 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, and if the case does not warrant suspension or expulsion, 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 conference 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, or denies the sanction(s), the conduct officer will refer the case for a student conduct board hearing. If the case warrants suspension/expulsion, the case will automatically be referred for a student conduct board hearing.
- (d) Complainants, or harmed parties in a case, are also scheduled for a conduct conference with the conduct officer assigned to review the allegation. This meeting occurs prior to the respondent's conduct conference and serves to provide the complainant with the opportunity to discuss the allegations that led to the referral. The complainant 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 respondent should the charges be substantiated. The complainant 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:
  - (i) The specific charges pending against the respondent;
  - (ii) A brief summary of the referral; and
  - (iii) Statement of rights and responsibilities.
- (e) If a respondent accepts responsibility for the charges and agrees to the sanctions issued by the conduct officer, the

complainant will be notified in writing of the outcome of the respondent's conduct conference. If the respondent denies responsibility for one or more of the charges, or denies the sanction(s), the complainant will be invited to participate in a student conduct board hearing. If the case warrants suspension/expulsion, the case will automatically be referred for a student conduct board hearing, for which the complainant will receive notice.

- (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 the respondent is found responsible for the charge(s). All hearings are closed to the public, except for the complainant, respondent, advisors for the complainant and/or respondent, witnesses, hearing panel, hearing panel advisor, and the conduct officer. All parties directly participating in the hearing (the respondent, complainant, advisors, 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. Hearing panels are comprised of a combination of trained faculty, staff, and students. Each student conduct board hearing will have a faculty/staff hearing panel chair. The chair is responsible for keeping the proceedings moving forward.
  - (c) If the respondent or complainant fails to appear at a scheduled student conduct board hearing and the absence is not excused, the hearing may proceed in their absence or may be rescheduled at the discretion of the chair. Additionally, if the complainant, respondent, or witnesses are unable to attend the hearing in person, video technology may be used to enable participants to simultaneously see/hear each other. Video technology may also be used if the complainant or respondent prefers to participate in the hearing from a different room than the opposing party.

- (d) Each student conduct board hearing panel will have a hearing panel advisor. 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 will remain present 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 paragraph 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. The chair must explain to the party proposing questions any decision to exclude a question as not relevant.

- (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.
  - (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, complainant, and respondent will then present any relevant witnesses or documentary information. The conduct officer,

complainant and respondent will each, in turn, have the opportunity to ask questions regarding the information presented.

- (vi) The complainant and respondent, in turn, will have the opportunity to cross-examine one another. If the complainant and respondent have mutual no-contact orders against one another, questions for opposing parties will be submitted to the hearing panel chair in writing.
  - (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).

- (iv) Written notification of the decision will be sent to the complainant and respondent simultaneously 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 to uphold due 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 community standards and student conduct to communicate directly with the advisor. The advisor may not actively participate in the student conduct process on behalf of the student.
    - (iv) To request reasonable accommodations due to disability. See paragraph (E)(6) of this policy, "Reasonable accommodation for students with disabilities."
    - (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 two university working days in advance of the initially scheduled proceeding. Rescheduled



proceedings will generally occur within five 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, including hearing audio/video, 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. The advisor may not actively participate in the student conduct process on behalf of the student.
- (v) Reasonable access to inspect and review their own case file, which includes all information that would be used during the student conduct process, including hearing audio/video, to the extent permitted by confidentiality laws.
- (vi) To request reasonable accommodations due to disability. See paragraph (E)(6) of this policy, "Reasonable accommodation for students with disabilities."
- (vii) To make a request for a change of date for a student conduct proceeding, so long as the request is made no less than two university working days in advance of the initially scheduled proceeding. Rescheduled proceedings will generally occur within five university working days of the initially scheduled proceeding.
- (viii) 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.

- (ix) The opportunity to appear at any hearing that may take place to provide relevant information.
  - (x) The opportunity to submit a written or recorded impact statement for use in a hearing, even if the complainant chooses not to attend the hearing.
  - (xi) To question any witness who participates as part of a hearing.
  - (xii) The right to appeal.
- (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 the case of witnesses) or notice is provided in advance (in the case of complainants and respondents).
  - (iii) To refrain from disruption of the hearing process. Disruption of this process is a violation of this policy. See paragraph (D) of this policy, “Student conduct standards/ prohibited conduct.”
  - (iv) Complainants and respondents have the responsibility to prepare and present their entire case as well as secure the presence of any witnesses who will speak on their behalf.
- (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 to ensure their

full and equal participation. Students wishing to request reasonable accommodations should make those requests directly to accessibility services. Students do not have to disclose information about the complaint or charge 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 accessibility services staff and implemented in consultation with the office of community standards and 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 responsible for a violation of a policy, sanctions will be issued in accordance with the office of community standards and student conduct's sanctioning rubric. The student conduct administrator may adjust recommended sanctions on a case-by-case basis, as appropriate.

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, as outlined in paragraph (E)(9) of this policy. If the respondent files a request for appeal, 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 loss of good standing.** Notice in writing that the violation of university regulations is 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, educational assignments, referrals to student outreach and support and other campus offices, 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) Residential probation. Issued to students living in university-owned or university-sponsored housing. Notice in writing that the violation of “The Student Code of Conduct” is serious and that any subsequent violation of university regulations and/or resident handbook/lease policies may result in imposition of additional restrictions or conditions, residential suspension, or residential expulsion.
- (vii) Guest restriction. Issued to students living in university-owned or university-sponsored housing. Residential students are restricted from signing in to other residential communities as guests for a designated period.
- (viii) Host restriction. Issued to students living in university-owned or university-sponsored housing. Residential students are restricted from hosting other guests for a designated period.
- (ix) Relocation. Issued to students living in university-owned or university-sponsored housing. Requiring a student to move to another floor, residence hall, or apartment because of community disruption.
- (x) Deferred residential suspension. Issued to students living in university-owned or university-sponsored housing. Separation of the student from the residential community is deferred for a specified period. If the student is found responsible for any subsequent violations of “The Student Code of Conduct,” residential suspension is automatically issued as a sanction.
- (xi) Residential suspension. Issued to students living in university-owned or university-sponsored housing. Separation of the student from the residence halls for a specified period 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.

- (xii) University suspension. Separation of the student from the university for a specified period 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. A university suspension is noted on an addendum attached to a student's transcript during the period of suspension.
- (xiii) Residential expulsion. Issued to students living in university-owned or university-sponsored housing. Permanent separation of the student from the residential community. An expulsion denies the student access to all university housing facilities on a permanent basis. This may include residential dining facilities.
- (xiv) 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. A university expulsion is permanently noted on a student's transcript.
- (xv) 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.
- (xvi) 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.

- (xvii) 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 dean of students, or designee, 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.
  - (xviii) No-contact order. The student is restricted from making contact in any verbal, written, electronic, third-party, or physical manner with a designated individual. If a student is found in violation of the no contact order, they may be subject to arrest and removed from campus. No-contact orders are always issued mutually to involved parties.
  - (xix) Parental/guardian notification. The office of community standards and student conduct staff will coordinate parental/guardian notification in cases of alcohol use or drug use when the student is under twenty-one years of age, their behavior demonstrates a risk of harm to self or others, or constitutes a violation of law involving a controlled substance.
- (b) More than one of the sanctions listed in paragraph (E)(7) of this policy 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.



(d) 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 dean of students, or designee, may impose an interim measure prior to a student conduct board hearing or conduct conference. This includes university or residential suspension. 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.

(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 and will remain in place until it is determined to no longer be necessary. Interim measures may be determined to no longer be necessary when:

- (i) There is no longer a risk to the safety and well-being of members of the University community or a risk to university property;
    - (ii) Interim measures are no longer needed to ensure the respondent's physical or emotional safety and well-being; or
    - (iii) The respondent no longer poses a threat of disruption or interference with the normal operations of the university.
  - (c) Any alterations, amendments, or modifications to the interim measures shall be documented. Notice of modification of interim measures will be served to affected parties in the same manner in which the original notice of interim measures was served.
  - (d) 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 physical 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 by five p.m. Eastern time on the fifth university working day of 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 submitted via electronic form to the office of community standards and 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 active interim measures, such as interim suspensions, will be held in abeyance.
- (d) Appellate hearings are not a live 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 may be reviewed

electronically via secure link sent by the office of community standards and student conduct.

- (g) 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 to the office of community standards and student conduct, 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 will review the appeal to determine whether one of the grounds listed in this policy has been met.
- (j) If an appellate hearing panel 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 if new information sufficient to alter a decision or other relevant facts not presented in the original hearing becomes available because such information and/or facts were not known by the appellant at the time of the original hearing.
  - (ii) Uphold the original decision.
  - (iii) Alter the findings/sanctions issued by the original hearing panel.

- (k) If the appellate hearing panel 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 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. This may be a deputy conduct officer, as described in this paragraph.
  - (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 investigate 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 paragraph (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) Student conduct records shall be expunged seven years after final disposition of the case, excluding students who were sanctioned with residential suspension, residential expulsion, university suspension, or revocation or withholding of a degree, which shall be expunged fifteen

years after final disposition of the case resulting in such action. Sanctions of university expulsion will remain on a student's conduct record indefinitely. Upon graduation, the student may petition the student conduct officer for immediate removal of all files contained in their student conduct records if the following conditions are met:

- (i) The violation(s) was determined to not have threatened or endangered the health or safety of any person, including sexual misconduct.
- (ii) University or residential suspension and/or expulsion or revocation or withholding of a degree were not issued as sanctions.
- (iii) All sanction requirements, including associated probationary periods, have been completed.
- (iv) An online petition form is completed and submitted to the office of community standards and student conduct.

The student may appeal a negative response of the student conduct officer to the student conduct administrator.

- (b) Records regarding university suspension or university expulsion of a student group/organization shall be kept indefinitely.
  - (c) All material gathered from a substantiated conduct case (residential, 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, or 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.

- (13) Responsible action exemption. The university encourages students to seek immediate medical attention for themselves or others during alcohol and/or drug-related emergencies. When students act as responsible bystanders, the university may choose to resolve alcohol and/or drug violations informally rather than through the student conduct process. The office of community standards and student conduct determines when students are eligible for responsible action exemption on a case-by-case basis. In instances involving possible sexual misconduct, the office of community standards and student conduct may seek input from the Title IX office before making a determination. For exemption to be considered, the following must occur:
- (a) Students must directly contact law enforcement, medical personnel, or university staff to request medical assistance.
  - (b) Students must identify themselves and the student(s) of concern to first responders.
  - (c) Students must comply with specific instructions given by responding personnel.

Students exempted from alcohol and/or drug charges will not face formal sanctions, but are required to meet with a conduct officer to discuss the incident and learn about campus and community resources. If a student is under twenty-one years of age at the time of the incident, the conduct officer may notify parents or guardians of the exemption.

Documentation of exemptions will be maintained by the office of community standards and student conduct as informational records and are not considered part of a student’s conduct record. Incident information will not be released by the office of community

standards and student conduct when contacted for background checks/transfer verifications.

The university reserves the right to deny exemption for any case in which violations are repeated or egregious, including activities related to hazing. Students will only receive one exemption during their tenure at the university.

Members of student organizations that actively seek medical assistance during alcohol and/or drug-related emergencies may be granted exemption from organizational conduct charges. Incidents involving student organization intervention will be considered on a case-by-case basis. The same standards outlined in this paragraph apply.

- (14) Serious misconduct policy. “Serious misconduct” is defined as “any act of sexual assault, domestic violence, dating violence, stalking, sexual exploitation, any assault that employs the use of a deadly weapon,” as defined in division (A) of section 2923.11 of the Revised Code, or causes serious bodily injury.

Students found responsible for violations of the serious misconduct policy will face, at minimum, a sanction of conduct probation with loss of good standing for one calendar year, preventing the student from participating in any extracurricular functions including athletics, student organizations, and student employment. After one year, students may petition the dean of students, or designee, for permission to participate in extracurricular activities and employment.

Students returning from a sanction of suspension will automatically be placed on conduct probation with loss of good standing for one calendar year, preventing the student from participating in any extracurricular functions including athletics, student organizations, and student employment. After one year, students may petition the dean of students, or designee, for permission to participate in extracurricular activities and employment.

- (F) Article V. Title IX sexual harassment procedures (per university policy and rule 3356-2-05 of the Administrative Code).



- (1) Grievance process.
  - (a) Time frame. The process outlined below is expected to occur within ninety calendar days from the date a complaint is filed. The Title IX coordinator, or designee, may extend this time period by providing written notice to the parties citing the reason(s) for the extension. The complainant or respondent may request a temporary delay of the grievance process for good cause by written request to the Title IX coordinator. Good cause includes, but is not limited to, the absence of party, a party's advisor or a witness, or the accommodation for disabilities.
  - (b) Report. Information, however received, alleging sexual harassment, as defined in this policy, and provided to a person with the authority to initiate corrective action. A report may lead to further action, including the filing of a formal complaint, depending on the alleged facts and circumstance.
  - (c) Formal complaint. A formal complaint is a verbal or written account which alleges a conduct which could violate this policy and is made to a person with authority to initiate corrective action. A complaint may be submitted by mail, email, in person, by telephone or electronically at [TitleIX@ysu.edu](mailto:TitleIX@ysu.edu).
- (2) Notice.
  - (a) Upon receipt of a formal complaint, the university shall provide the following written notice to the parties who are known: notice of this grievance process, including any informal resolution process; and notice of the allegations of sexual harassment as defined in this paragraph, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview.
  - (b) If in the course of an investigation the university decides to investigate allegations about the complainant or respondent that are not included in the notice provided, the university

shall provide notice of the additional allegations to the parties whose identities are known.

- (c) Notice to the university staff listed below of sexual harassment or allegation of sexual harassment constitutes actual notice to the university and triggers the university's obligation to respond.
  - (i) Title IX coordinator and deputy Title IX coordinators.
  - (ii) Director of equal opportunity and policy development.
  - (iii) Vice presidents and associate vice presidents.
  - (iv) Academic deans and chairpersons.
  - (v) Supervisors/managers.
  - (vi) Coaches and assistant coaches.

- (3) Consolidation of formal complaints. The university may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

Where a grievance process involves more than one complainant or more than one respondent, references in this policy to the singular "party," "complainant," or "respondent" include the plural, as applicable.

- (4) Dismissal of formal complaint. The Title IX coordinator shall dismiss formal complaints that do not meet the following criteria.
  - (a) Mandatory dismissal.
    - (i) Would not constitute sexual harassment as defined in this policy even if proved.

- (ii) The alleged sexual harassment did not occur in the university's education program or activity.
    - (iii) The alleged conduct did not occur in the United States.
  - (b) Discretionary dismissal.
    - (i) Complainant notifies the Title IX coordinator in writing that they would like to withdraw the formal complaint.
    - (ii) The respondent is no longer enrolled or employed by the university.
    - (iii) Specific circumstances prevent the university from gathering sufficient evidence.
  - (c) The dismissal of a formal complaint shall be done simultaneously and in writing to the parties.
  - (d) A dismissal of a formal complaint may be appealed pursuant to paragraph (F)(10) of this policy.
  - (e) A formal complaint which is dismissed pursuant to this policy may be considered under a different university policy, 3356-2-03, "Discrimination/ harassment," rule of 3356-2-03 of the Administrative Code, or 3356-7-04, "Workplace and off-campus violence, threats, and disruptive behavior," rule of 3356-7-04 of the Administrative Code, or under "The Student Code of Conduct."
- (5) Informal resolution. At any time prior to reaching a determination regarding responsibility, the university may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication.
  - (a) Both parties' voluntary, written consent to the informal resolution process is necessary. At any time prior to

agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint.

- (b) Informal resolution is not an option for resolving allegations that an employee or faculty member sexually harassed a student.
- (6) Investigation. The Title IX coordinator or designee is responsible for investigating formal complaints which meet the criteria of this policy.
- (a) The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the investigator and not on the parties.
  - (b) The respondent is not considered responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
  - (c) The university shall not access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the university obtains that party's voluntary, written consent to do so for a grievance process under this section or as permitted by law.
  - (d) The parties shall have an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence during the course of the investigation. All parties are free to discuss the allegations under investigation or to gather and present relevant evidence.
  - (e) All parties shall have the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or

proceeding by the advisor of their choice including an attorney. However, the advisor may not speak during any interview or proceedings, with the exception of the cross-examination portion of any hearing.

- (f) Any party whose participation is invited or expected shall receive written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings with sufficient time for the party to prepare to participate.
  - (g) Both parties shall receive an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.
  - (h) Prior to completion of the investigative report, the investigator shall send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties shall have ten calendar days to submit a written response, which the investigator will consider prior to completion of the investigative report.
  - (i) The investigator shall make all evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.
  - (j) The investigator shall create an investigative report that fairly summarizes relevant evidence and shall provide a copy, in electronic or hard copy format, to the parties and their advisors at least ten calendar days prior to any hearing. Either party can submit a written response to the investigator during these ten days.
- (7) Hearings. Formal complaints that are not resolved informally or dismissed will result in a live hearing.

- (a) The hearing will be scheduled by the office of student conduct and will be held before a Title IX decision-maker. Where the complainant and respondent are both employees and/or faculty members, the Title IX coordinator will convene the hearing.
- (b) Live hearings may be conducted with all parties physically present in the same geographic location, or participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other.
- (c) The decision-maker shall permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the live hearing shall be conducted directly, orally, and in real-time by the party's advisor of choice and never by a party personally.
- (d) At the request of either party, the hearing may occur with the parties located in separate rooms with technology enabling the decision-maker(s) and parties to simultaneously see and hear the party or the witness answering questions.
- (e) Only relevant cross-examination and other questions may be asked of a party or witness. Before a complainant, respondent, or witness answers a cross-examination or other question, the decision-maker shall first determine whether the question is relevant and explain any decision to exclude a question as not relevant. Parties may not challenge the relevancy determination of the decision-maker, except on appeal.
- (f) Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

- (g) If a party does not have an advisor present at the live hearing, the university shall provide, without fee or charge to that party, an advisor of the university's choice to conduct cross-examination on behalf of that party.
  - (h) If a party or witness does not submit to cross-examination at the live hearing, the decision-maker(s) shall not rely on any statement of that party or witness in reaching a determination regarding responsibility, provided, however, that the decision-maker cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.
  - (i) Credibility determinations shall not be based on a person's status as a complainant, respondent, or witness.
  - (j) Parties are not required to divulge any medical, psychological, or similar privileged records as part of the hearing process.
  - (k) The decision-maker shall create an audio recording for a live hearing and an audiovisual recording for a virtual live hearing. Such recording will be available to the parties for inspection and review upon written request to the convener.
- (8) Findings.
- (a) The hearing decision-maker shall issue a written determination simultaneously to the parties regarding responsibility/policy violation(s) and sanctions/discipline when responsibility/policy violation is found to have occurred. To reach this determination, the preponderance of the evidence standard (whether it is more likely than not that the alleged conduct occurred) will be used.
  - (b) The determination regarding responsibility and sanction(s)/discipline becomes final either on the date that the university provides the parties with the written determination of the result of the appeal, if an appeal is

filed; or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

- (c) The written determination shall include:
  - (i) Identification of the allegations potentially constituting sexual harassment.
  - (ii) A description of the procedural steps which were followed starting with the formal complaint and continuing through determination.
  - (iii) The finding of facts that support the determination.
  - (iv) A conclusion applying the appropriate definition of the university's policy to the facts.
  - (v) A rationale for the result of each allegation regarding the determination of responsibility.
  - (vi) For respondents who are students, the hearing decision-maker shall consult with the vice president of student experience or their designee regarding sanctions. For respondents who are employees or faculty members the hearing decision maker shall consult with the chief human resources officer, or their designee, regarding discipline.
  - (vii) Information regarding whether remedies designed to restore or preserve equal access to the university's education program or activity will be provided to the complainant. The Title IX coordinator is responsible for effective implementation of any remedies.
  - (viii) The procedures and bases for the complainant and respondent to appeal the determination.
- (9) Sanctions/discipline.
  - (a) Students.



- (i) Possible sanctions for student respondents: warning, conduct probation with or without loss of good standing, restitution, educational sanctions, residential suspension, university suspension, residential expulsion, university expulsion, revocation of admission and/ or degree, withholding degree, and fines.
- (ii) Serious misconduct is defined as any act of sexual assault, domestic violence, dating violence, stalking, sexual exploitation, or any assault that employs the use of a deadly weapon, as defined in division (A) of section 2923.11 of the Revised Code, or causes serious bodily injury. Students found responsible for violations of the serious misconduct policy will face, at minimum, a sanction of conduct probation with loss of good standing for one calendar year, preventing the student from participating in any extracurricular functions including athletics, student organizations, and student employment. After one year, students may petition the dean of students, or designee, for permission to participate in extracurricular activities and employment.

Students returning from a sanction of suspension will automatically be placed on conduct probation with loss of good standing for one calendar year, preventing the student from participating in any extracurricular functions including athletics, student organizations, and student employment. After one year, students may petition the dean of students, or designee, for permission to participate in extracurricular activities and employment.

- (b) Possible sanctions/discipline for employee or faculty respondents: employment probation, demotion or reassignment, suspension with or without pay for a specific period of time, termination of employment, ineligibility for rehire, and/or other sanctions or remedies as deemed appropriate under the circumstances.

- (10) The appeal process.
- (a) Filing an appeal.
    - (i) Appeals are not a re-hearing of the allegation(s).
    - (ii) Only a complainant or respondent (referred to as party or parties) may request an appeal.
    - (iii) An appeal must be submitted in writing to the Title IX coordinator within five working days from receipt of a decision using the “Title IX Appeal Request Form” and include all supporting material.
    - (iv) A party may appeal the determination regarding responsibility, sanctions/discipline and/or the university’s dismissal of a formal complaint or any allegations therein.
    - (v) There are four grounds for appeal:
      - (1) Procedural irregularity that significantly impacted the outcome of the matter (for example material deviation from established procedures). The appeal request must cite specific procedures and how they were in error; and/or
      - (2) New evidence that was not reasonably available at the time the original decision was made that could have affected the outcome. A summary of this new evidence and its potential impact must be included in the request. (Note: Failure to participate or provide information during an investigation or hearing, even based on concern over a pending criminal or civil proceeding, does not make information unavailable during the original investigation or hearing); and/or
      - (3) The Title IX coordinator, investigator(s), or decision-maker(s) had a conflict of interest or

bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter. The appeal must cite specific examples of how the bias affected the outcome.

- (4) The discipline/sanction(s) imposed are substantially outside the parameters or guidelines set by the university for this type of violation or the cumulative conduct record of the responding party.
- (b) Title IX appellate review officer (hereinafter referred to as appellate review officer). Upon receipt of a request for appeal, the Title IX coordinator will designate a Title IX appellate review officer as follows:
- (i) Appeals where the respondent is a student, the appellate officer will be either the vice president for student affairs or their designee or a deputy Title IX coordinator who did not participate in the investigation or hearing.
  - (ii) Appeals where the respondent is a faculty member or employee, the appellate officer will be either the chief human resources officer or their designee or a deputy Title IX coordinator who did not participate in the investigation or hearing.
  - (iii) The appellate officer cannot be the investigator, Title IX coordinator, or the person who acted as the decision-maker regarding the determination of responsibility/policy violation, or dismissal.
- (c) Appeal procedures:
- (i) Generally, within five business days after receipt of the request for appeal by the appellate review officer, the appellate review officer will conduct an initial review of the appeal request(s) to determine whether the appeal is timely and satisfies the grounds for appeal.

- (ii) If the appeal request is not timely or does not satisfy the grounds for appeal, the appeal request will be denied, the parties will be notified, and the finding and sanction or responsive action/remedies will stand. The decision not to accept an appeal request is final and is not subject to further appeal.
- (iii) If the appeal request is timely and meets the ground for appeal, the Title IX coordinator will notify the parties that the appeal has been accepted and will notify the non-appealing party that they may file a response within three business days from notification.
- (iv) The appellate review officer will then review the issues presented in the appeal and any response(s).
- (v) The standard on appeal is whether there is relevant evidence/information such that a reasonable person would support the decision(s).
- (vi) The appellate review officer can take one of the following actions:
  - (1) Affirm the original findings;
  - (2) Remand the case to the original investigators or hearing panel for consideration of new evidence or to remedy a procedural irregularity;
  - (3) Remand the case to a new investigator in a case of bias. The appellate review officer, may order a new investigation with a new investigator or hearing panel; or
  - (4) Administratively alter the finding if bias, procedural irregularity or new evidence, unknown or unavailable during the original investigation, substantially affected the original finding, and the associated sanctions or responsive action.

- (vii) Decisions rendered by the appellate review officer or actions taken following the decisions appellate review officer's decision are final and not subject to further appeal.
    - (viii) Cases that are sent back to the investigator or hearing panel are not eligible for a second appeal.
- (G) Article VI. 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 paragraph (D) of this policy. 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 paragraph (D)(1) of this policy. Cases of alleged violations of the academic integrity policy shall be resolved as outlined in this paragraph.
    - (c) The process outlined in this paragraph 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 two university working days 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 video conference, as appropriate. The faculty member may consult with the judicial chair of the academic grievance subcommittee or the office of community standards and 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 paragraph (F)(3) of this policy, 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 community standards and 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 community standards and student conduct to be placed in the student's file. The office of community standards and 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 in this paragraph.
- (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 community standards and 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 community standards and student conduct and forwarded to the judicial chair to initiate a hearing before the academic grievance subcommittee. A representative from the office of community standards and 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 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 dean of students, or designee, and may serve up to three years on the subcommittee. In addition, six graduate students (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 community standards and student conduct.
  - (ii) At least 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, or designee, 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 office of community standards and student conduct.

- (c) Within two university working days of receiving the statement and evidence, the judicial chair, or designee, 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 hearing packet.
- (d) A hearing date, time, and location for the academic grievance subcommittee hearing will be established by the judicial chair, or designee. Academic grievance subcommittee members shall have a minimum of three university working days to review all written materials in the academic integrity hearing 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 or recorded 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 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 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/guardian, 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/guardian 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.
  - (e) 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 to provide equal treatment to all parties. This may include either teleconference or video conferencing platforms, 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 community standards and 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 community standards and 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 fifty per cent 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 community standards and student conduct, the graduate school dean when appropriate, the provost and all parties directly involved in the hearing, except advisors and witnesses.
  - (i) Notice of the hearing panel's decision ends the academic grievance subcommittee's involvement in the disposition of the case.
  - (ii) A file of all pertinent documents for all academic integrity hearings shall be kept by the office of the provost and the office of community standards and student conduct.

- (iii) 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, the office of community standards and 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 community standards and 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. Sanctions for violations of the academic integrity policy may include, but are limited to, the following:
- (a) Issuing 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, the office of community standards and 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 community standards and student conduct for possible additional charges and sanctioning.
- (H) 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 near 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 thirty 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 community standards and student conduct. The results of the “1219 hearing” discussed in this paragraph 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 previously noted, 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 community standards and 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. If the student is not under an interim suspension or has been found not 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 community standards and 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 their 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 used 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.

- (I) 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, 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 community standards and 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 dean of students, 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 because of parental/guardian notification.
    - (c) The notification will be provided in writing from the office of community standards and 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 community standards and 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.
- (J) 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 dean of students, or designee. The dean of students, or designee, shall distribute the recommendation to the appropriate areas and gather feedback. If the change is endorsed by the dean of students, or designee, the change shall be presented to the board of trustees for adoption.
- (K) Glossary of terms when used in "The Student Code of Conduct."
- (1) The term "due process" is an assurance that all accused students will receive notice of charges, notice of the evidence to be used against them, and the opportunity to participate in a hearing prior to the deprivation of any educational property interest.
  - (2) 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.

- (3) 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 Student Code of Conduct” or from the sanctions imposed by the student conduct body.
- (4) The terms “can,” “may,” or “should” specify a discretionary provision of “The Student Code of Conduct.”
- (5) The term “complainant” shall mean any party harmed by the actions of a student who allegedly violated “The Student Code of Conduct.”
- (6) The term “deputy conduct officer” shall mean a university official authorized on a case-by-case basis by the student conduct administrator to review complaints, determine responsibility, and impose sanctions upon students found to have violated “The Student Code of Conduct.”
- (7) 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 situation shall be determined by the relevant circumstances.
- (8) 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.
- (9) 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.
- (10) 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.



- (11) 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.
- (12) 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.
- (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 “organization” shall mean a university-registered student organization which has complied with formal requirements of official registration.
- (16) 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,” the university website, undergraduate/graduate catalogs, university policies, and board of trustees policies.
- (17) The term “respondent” shall mean any student accused of violating “The Student Code of Conduct.”
- (18) The terms “shall,” “must,” “will,” or “is required” specify a mandatory requirement of the code.
- (19) 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 enrolled at the university.

- (20) The term “student conduct administrator” is the dean of students, or designee, who shall be responsible for the administration of the code and the university student conduct process.
- (21) 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.
- (22) 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.
- (23) The term “student conduct officer” is the assistant dean of students for community standards, advocacy, and 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.”
- (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 university policy 3356-7-03 concerning weapons on campus (rule 3356-7-03 of the Administrative Code).
- (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 Affairs / Dean of Students  
Responsible Officer: Dean of Students and Ombudsperson  
Revision History: March 1998; December 2010; June 2016;  
September 2017; September 2020; June 2021;  
[September 2022](#)  
Board Committee: Academic Excellence and Student Success  
**Effective Date:** [September 21, 2022](#)  
Minor Revisions: October 6, 2021 (paragraphs (D)(11), (E)(9)(a)  
and (E)(9)(c))  
Next Review: [2027](#)

Formatted: Indent: Left: 2", Hanging: 0.13"

Deleted: June 3, 2021

Deleted: 2026

- (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 policy 3356-7-20, "Drug-free environment" (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 dean of students and ombudsperson (hereinafter referred to as the dean of students). The dean of students, 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 community standards and 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 assistant dean of students for community standards, advocacy, and conduct (hereinafter referred to as the assistant dean of students). The student conduct administrator may also appoint one 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 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 this policy. 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.
  - (v) University conduct action may be carried out prior to, simultaneously with, or following civil or criminal proceedings.
  - (vi) 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.
- (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 dean of students, or designee, in consultation with the associate vice president for student experience. The policies and regulations that apply to student groups/organizations are outlined in the “Penguin Student Handbook,” which houses all student organization 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 dean of students, 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 to obtain an academic advantage, which includes falsification of documents or other information used to request makeup 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" (rule 3356-2-03 of the Administrative Code) for prohibited conduct based on an 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. See also university policy 3356-4-21, "Campus free speech" (rule 3356-4-21 of the Administrative Code) for harassment that is severe, pervasive, and objectively offensive).
- (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 student conduct process.
  - (f) Unwelcome or unreasonable behavior that harasses or intimidates a member of a student conduct body, participants, or witnesses prior to, during or after a student conduct proceeding, and is sufficiently severe or pervasive from both a subjective (the complainant's) and an objective (reasonable person) viewpoint.
  - (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 obstructs teaching, research, administration, or university activities or functions.
- (7) Drugs.
- (a) Use, possession, manufacturing, or distribution of marijuana, 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. Doing any act or coercing another, including the victim, to do any act of initiation into any student or other organization or any act to continue or reinstate membership in or affiliation with any student or other organization that causes or creates a substantial risk of causing mental or physical harm to any person, including coercing another to consume alcohol or a drug of abuse, as defined in section 3719.011 of the Revised Code.
- (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 unwelcome or unreasonable messages that harass or intimidate individuals or groups that are sufficiently severe or pervasive from both a subjective (the complainant's) and an objective (reasonable person) viewpoint.
  - (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 policy 3356-4-09, “Acceptable use of university technology resources” (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 harassment. Conduct on the basis of sex that satisfies one or more of the following categories:
  - (a) An employee conditioning the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct (i.e., quid pro quo). An individual does not have to submit to the conduct for quid pro quo sexual harassment to occur.
  - (b) Unwelcome conduct determined by the reasonable person's standard to be so severe and pervasive that it effectively denies a person equal access to an education program or activity (i.e., hostile environment).
  - (c) Sexual assault as defined in the Clery Act (which includes rape, fondling, incest, or statutory rape as defined in this paragraph).
    - (i) Rape (except statutory rape). The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person without the consent of the victim. See university policy 3356-2-05, "Title IX sexual harassment policy," rule 3356-2-05 of the Administrative Code, for definitions of consent, coercion, force, and incapacitation.
    - (ii) Fondling. The touching of the private body parts of another person for sexual gratification without the consent of the victim, including instances where the



- victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.
- (iii) Incest. Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - (iv) Statutory rape. Sexual intercourse with a person who is under the statutory age of consent.
- (d) Dating violence, domestic violence, or stalking pursuant to the Violence Against Women Act (also defined in this paragraph).
- (i) Dating violence. 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 shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
  - (ii) Domestic violence. Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.
  - (iii) Stalking. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others, or suffer substantial emotional distress.

- (e) Sexual misconduct. Conduct of a sexual nature that is nonconsensual or is carried out through force, threat, or coercion. Sexual misconduct includes, but is not limited to, sexual exploitation and voyeurism.
  - (i) Sexual exploitation. Sexual exploitation occurs when a person takes nonconsensual or abusive sexual advantage of another for their 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, nonconsensual video or audiotaping of sexual activity, permitting others to secretly observe or record consensual activity or engaging in voyeurism.
  - (ii) Voyeurism. Voyeurism occurs when a person, for the purposes of sexual arousal or gratification sexual purposes, surreptitiously invades the privacy of another. Voyeurism can occur in person or through recording or electronic means.
- (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. Behavior which would constitute a violation of federal, state, or local law that adversely affects the university community or interferes with the university's mission or its educational objectives and programs.
  - (23) Weapons. Illegal or unauthorized possession of firearms, fireworks, explosives, other weapons, or dangerous chemicals on university premises or use of any such item, even if legally possessed, in a manner that harms, threatens, or causes fear to others.
  - (24) Sexual harassment as defined in Title IX of the Education Amendments of 1972 as set forth in university Title IX sexual harassment policy. (See rule 3356-2-05 of the Administrative Code and university policy 3356-2-05, "Title IX sexual harassment policy." Students, faculty, employees, volunteers, third parties, campus visitors and other individuals should refer to the Title IX policy referenced in this paragraph for processes and procedures under Title IX). The complaint, adjudication, resolution, and appeal process for an allegation of a Title IX violation, as well as possible sanctions, is delineated in university policy 3356-2-05, "Title IX sexual harassment policy."
- (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 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 community standards and 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. Additionally, students alleged to have violated the university’s sexual misconduct policy will 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 fifty per cent 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 email 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 the 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, and if the case does not warrant suspension or expulsion, 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 conference 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, or denies the sanction(s), the conduct officer will refer the case for a student conduct board hearing. If the case warrants suspension/expulsion, the case will automatically be referred for a student conduct board hearing.
- (d) Complainants, or harmed parties in a case, are also scheduled for a conduct conference with the conduct officer assigned to review the allegation. This meeting occurs prior to the respondent's conduct conference and serves to provide the complainant with the opportunity to discuss the allegations that led to the referral. The complainant 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 respondent should the charges be substantiated. The complainant 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:
  - (i) The specific charges pending against the respondent;
  - (ii) A brief summary of the referral; and
  - (iii) Statement of rights and responsibilities.
- (e) If a respondent accepts responsibility for the charges and agrees to the sanctions issued by the conduct officer, the

complainant will be notified in writing of the outcome of the respondent's conduct conference. If the respondent denies responsibility for one or more of the charges, or denies the sanction(s), the complainant will be invited to participate in a student conduct board hearing. If the case warrants suspension/expulsion, the case will automatically be referred for a student conduct board hearing, for which the complainant will receive notice.

- (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 the respondent is found responsible for the charge(s). All hearings are closed to the public, except for the complainant, respondent, advisors for the complainant and/or respondent, witnesses, hearing panel, hearing panel advisor, and the conduct officer. All parties directly participating in the hearing (the respondent, complainant, advisors, 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. Hearing panels are comprised of a combination of trained faculty, staff, and students. Each student conduct board hearing will have a faculty/staff hearing panel chair. The chair is responsible for keeping the proceedings moving forward.
  - (c) If the respondent or complainant fails to appear at a scheduled student conduct board hearing and the absence is not excused, the hearing may proceed in their absence or may be rescheduled at the discretion of the chair. Additionally, if the complainant, respondent, or witnesses are unable to attend the hearing in person, video technology may be used to enable participants to simultaneously see/hear each other. Video technology may also be used if the complainant or respondent prefers to participate in the hearing from a different room than the opposing party.

- (d) Each student conduct board hearing panel will have a hearing panel advisor. 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 will remain present 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 paragraph 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. The chair must explain to the party proposing questions any decision to exclude a question as not relevant.



- (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.
  - (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, complainant, and respondent will then present any relevant witnesses or documentary information. The conduct officer,

- complainant and respondent will each, in turn, have the opportunity to ask questions regarding the information presented.
- (vi) The complainant and respondent, in turn, will have the opportunity to cross-examine one another. If the complainant and respondent have mutual no-contact orders against one another, questions for opposing parties will be submitted to the hearing panel chair in writing.
  - (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).

- (iv) Written notification of the decision will be sent to the complainant and respondent simultaneously 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 to uphold due 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 community standards and student conduct to communicate directly with the advisor. The advisor may not actively participate in the student conduct process on behalf of the student.
    - (iv) To request reasonable accommodations due to disability. See paragraph (E)(6) of this policy, "Reasonable accommodation for students with disabilities."
    - (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 two university working days in advance of the initially scheduled proceeding. Rescheduled

proceedings will generally occur within five 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, including hearing audio/video, 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. The advisor may not actively participate in the student conduct process on behalf of the student.
- (v) Reasonable access to inspect and review their own case file, which includes all information that would be used during the student conduct process, including hearing audio/video, to the extent permitted by confidentiality laws.
- (vi) To request reasonable accommodations due to disability. See paragraph (E)(6) of this policy, "Reasonable accommodation for students with disabilities."
- (vii) To make a request for a change of date for a student conduct proceeding, so long as the request is made no less than two university working days in advance of the initially scheduled proceeding. Rescheduled proceedings will generally occur within five university working days of the initially scheduled proceeding.
- (viii) 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.

- (ix) The opportunity to appear at any hearing that may take place to provide relevant information.
  - (x) The opportunity to submit a written or recorded impact statement for use in a hearing, even if the complainant chooses not to attend the hearing.
  - (xi) To question any witness who participates as part of a hearing.
  - (xii) The right to appeal.
- (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 the case of witnesses) or notice is provided in advance (in the case of complainants and respondents).
  - (iii) To refrain from disruption of the hearing process. Disruption of this process is a violation of this policy. See paragraph (D) of this policy, "Student conduct standards/ prohibited conduct."
  - (iv) Complainants and respondents have the responsibility to prepare and present their entire case as well as secure the presence of any witnesses who will speak on their behalf.
- (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 to ensure their

full and equal participation. Students wishing to request reasonable accommodations should make those requests directly to accessibility services. Students do not have to disclose information about the complaint or charge 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 accessibility services staff and implemented in consultation with the office of community standards and 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 responsible for a violation of a policy, sanctions will be issued in accordance with the office of community standards and student conduct's sanctioning rubric. The student conduct administrator may adjust recommended sanctions on a case-by-case basis, as appropriate.

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, as outlined in paragraph (E)(9) of this policy. If the respondent files a request for appeal, 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 loss of good standing.** Notice in writing that the violation of university regulations is 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, educational assignments, referrals to student outreach and support and other campus offices, 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) Residential probation. Issued to students living in university-owned or university-sponsored housing. Notice in writing that the violation of “The Student Code of Conduct” is serious and that any subsequent violation of university regulations and/or resident handbook/lease policies may result in imposition of additional restrictions or conditions, residential suspension, or residential expulsion.
- (vii) Guest restriction. Issued to students living in university-owned or university-sponsored housing. Residential students are restricted from signing in to other residential communities as guests for a designated period.
- (viii) Host restriction. Issued to students living in university-owned or university-sponsored housing. Residential students are restricted from hosting other guests for a designated period.
- (ix) Relocation. Issued to students living in university-owned or university-sponsored housing. Requiring a student to move to another floor, residence hall, or apartment because of community disruption.
- (x) Deferred residential suspension. Issued to students living in university-owned or university-sponsored housing. Separation of the student from the residential community is deferred for a specified period. If the student is found responsible for any subsequent violations of “The Student Code of Conduct,” residential suspension is automatically issued as a sanction.
- (xi) Residential suspension. Issued to students living in university-owned or university-sponsored housing. Separation of the student from the residence halls for a specified period 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.

- (xii) University suspension. Separation of the student from the university for a specified period 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. A university suspension is noted on an addendum attached to a student's transcript during the period of suspension.
- (xiii) Residential expulsion. Issued to students living in university-owned or university-sponsored housing. Permanent separation of the student from the residential community. An expulsion denies the student access to all university housing facilities on a permanent basis. This may include residential dining facilities.
- (xiv) 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. A university expulsion is permanently noted on a student's transcript.
- (xv) 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.
- (xvi) 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.

- (xvii) 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 dean of students, or designee, 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.
  - (xviii) No-contact order. The student is restricted from making contact in any verbal, written, electronic, third-party, or physical manner with a designated individual. If a student is found in violation of the no contact order, they may be subject to arrest and removed from campus. No-contact orders are always issued mutually to involved parties.
  - (xix) Parental/guardian notification. The office of community standards and student conduct staff will coordinate parental/guardian notification in cases of alcohol use or drug use when the student is under twenty-one years of age, their behavior demonstrates a risk of harm to self or others, or constitutes a violation of law involving a controlled substance.
- (b) More than one of the sanctions listed in paragraph (E)(7) of this policy 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.

- (d) 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 dean of students, or designee, may impose an interim measure prior to a student conduct board hearing or conduct conference. This includes university or residential suspension. 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.
- (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 and will remain in place until it is determined to no longer be necessary. Interim measures may be determined to no longer be necessary when:

(i) There is no longer a risk to the safety and well-being of members of the University community or a risk to university property;

**Formatted:** Indent: Left: 1.56", Hanging: 0.44", Tab stops: 2", Left

(ii) Interim measures are no longer needed to ensure the respondent's physical or emotional safety and well-being; or

**Formatted:** Indent: Left: 1.56", Hanging: 0.44"

(iii) The respondent no longer poses a threat of disruption or interference with the normal operations of the university.

**Formatted:** Indent: Left: 1.56", Hanging: 0.44"

(c) Any alterations, amendments, or modifications to the interim measures shall be documented. Notice of modification of interim measures will be served to affected parties in the same manner in which the original notice of interim measures was served.

(d) 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 physical 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.

**Deleted:** . 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.

**Deleted:** (c)

(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 by five p.m. Eastern time on the fifth university working day of 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 submitted via electronic form to the office of community standards and 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 active interim measures, such as interim suspensions, will be held in abeyance.
- (d) Appellate hearings are not a live 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 may be reviewed

electronically via secure link sent by the office of community standards and student conduct.

- (g) 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 to the office of community standards and student conduct, 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 will review the appeal to determine whether one of the grounds listed in this policy has been met.
- (j) If an appellate hearing panel 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 if new information sufficient to alter a decision or other relevant facts not presented in the original hearing becomes available because such information and/or facts were not known by the appellant at the time of the original hearing.
  - (ii) Uphold the original decision.
  - (iii) Alter the findings/sanctions issued by the original hearing panel.

- (k) If the appellate hearing panel 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 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. This may be a deputy conduct officer, as described in this paragraph.
  - (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 investigate 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 paragraph (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) Student conduct records shall be expunged seven years after final disposition of the case, excluding students who were sanctioned with residential suspension, residential expulsion, university suspension, or revocation or withholding of a degree, which shall be expunged fifteen

**Deleted:** university expulsion,



years after final disposition of the case resulting in such action. Sanctions of university expulsion will remain on a student's conduct record indefinitely. Upon graduation, the student may petition the student conduct officer for immediate removal of all files contained in their student conduct records if the following conditions are met:

- (i) The violation(s) was determined to not have threatened or endangered the health or safety of any person, including sexual misconduct.
- (ii) University or residential suspension and/or expulsion or revocation or withholding of a degree were not issued as sanctions.
- (iii) All sanction requirements, including associated probationary periods, have been completed.
- (iv) An online petition form is completed and submitted to the office of community standards and student conduct.

The student may appeal a negative response of the student conduct officer to the student conduct administrator.

- (b) Records regarding university suspension or university expulsion of a student group/organization shall be kept indefinitely.
  - (c) All material gathered from a substantiated conduct case (residential, 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, or 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.

- (13) Responsible action exemption. The university encourages students to seek immediate medical attention for themselves or others during alcohol and/or drug-related emergencies. When students act as responsible bystanders, the university may choose to resolve alcohol and/or drug violations informally rather than through the student conduct process. The office of community standards and student conduct determines when students are eligible for responsible action exemption on a case-by-case basis. In instances involving possible sexual misconduct, the office of community standards and student conduct may seek input from the Title IX office before making a determination. For exemption to be considered, the following must occur:
- (a) Students must directly contact law enforcement, medical personnel, or university staff to request medical assistance.
  - (b) Students must identify themselves and the student(s) of concern to first responders.
  - (c) Students must comply with specific instructions given by responding personnel.

Students exempted from alcohol and/or drug charges will not face formal sanctions, but are required to meet with a conduct officer to discuss the incident and learn about campus and community resources. If a student is under twenty-one years of age at the time of the incident, the conduct officer may notify parents or guardians of the exemption.

Documentation of exemptions will be maintained by the office of community standards and student conduct as informational records and are not considered part of a student's conduct record. Incident information will not be released by the office of community

standards and student conduct when contacted for background checks/transfer verifications.

The university reserves the right to deny exemption for any case in which violations are repeated or egregious, including activities related to hazing. Students will only receive one exemption during their tenure at the university.

Members of student organizations that actively seek medical assistance during alcohol and/or drug-related emergencies may be granted exemption from organizational conduct charges. Incidents involving student organization intervention will be considered on a case-by-case basis. The same standards outlined in this paragraph apply.

- (14) Serious misconduct policy. “Serious misconduct” is defined as “any act of sexual assault, domestic violence, dating violence, stalking, sexual exploitation, any assault that employs the use of a deadly weapon,” as defined in division (A) of section 2923.11 of the Revised Code, or causes serious bodily injury.

Students found responsible for violations of the serious misconduct policy will face, at minimum, a sanction of conduct probation with loss of good standing for one calendar year, preventing the student from participating in any extracurricular functions including athletics, student organizations, and student employment. After one year, students may petition the dean of students, or designee, for permission to participate in extracurricular activities and employment.

Students returning from a sanction of suspension will automatically be placed on conduct probation with loss of good standing for one calendar year, preventing the student from participating in any extracurricular functions including athletics, student organizations, and student employment. After one year, students may petition the dean of students, or designee, for permission to participate in extracurricular activities and employment.

- (F) Article V. Title IX sexual harassment procedures (per university policy and rule 3356-2-05 of the Administrative Code).

- (1) Grievance process.
  - (a) Time frame. The process outlined below is expected to occur within ninety calendar days from the date a complaint is filed. The Title IX coordinator, or designee, may extend this time period by providing written notice to the parties citing the reason(s) for the extension. The complainant or respondent may request a temporary delay of the grievance process for good cause by written request to the Title IX coordinator. Good cause includes, but is not limited to, the absence of party, a party's advisor or a witness, or the accommodation for disabilities.
  - (b) Report. Information, however received, alleging sexual harassment, as defined in this policy, and provided to a person with the authority to initiate corrective action. A report may lead to further action, including the filing of a formal complaint, depending on the alleged facts and circumstance.
  - (c) Formal complaint. A formal complaint is a verbal or written account which alleges a conduct which could violate this policy and is made to a person with authority to initiate corrective action. A complaint may be submitted by mail, email, in person, by telephone or electronically at [TitleIX@ysu.edu](mailto:TitleIX@ysu.edu).
- (2) Notice.
  - (a) Upon receipt of a formal complaint, the university shall provide the following written notice to the parties who are known: notice of this grievance process, including any informal resolution process; and notice of the allegations of sexual harassment as defined in this paragraph, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview.
  - (b) If in the course of an investigation the university decides to investigate allegations about the complainant or respondent that are not included in the notice provided, the university

shall provide notice of the additional allegations to the parties whose identities are known.

- (c) Notice to the university staff listed below of sexual harassment or allegation of sexual harassment constitutes actual notice to the university and triggers the university's obligation to respond.
  - (i) Title IX coordinator and deputy Title IX coordinators.
  - (ii) Director of equal opportunity and policy development.
  - (iii) Vice presidents and associate vice presidents.
  - (iv) Academic deans and chairpersons.
  - (v) Supervisors/managers.
  - (vi) Coaches and assistant coaches.
- (3) Consolidation of formal complaints. The university may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

Where a grievance process involves more than one complainant or more than one respondent, references in this policy to the singular "party," "complainant," or "respondent" include the plural, as applicable.
- (4) Dismissal of formal complaint. The Title IX coordinator shall dismiss formal complaints that do not meet the following criteria.
  - (a) Mandatory dismissal.
    - (i) Would not constitute sexual harassment as defined in this policy even if proved.

- (ii) The alleged sexual harassment did not occur in the university's education program or activity.
    - (iii) The alleged conduct did not occur in the United States.
  - (b) Discretionary dismissal.
    - (i) Complainant notifies the Title IX coordinator in writing that they would like to withdraw the formal complaint.
    - (ii) The respondent is no longer enrolled or employed by the university.
    - (iii) Specific circumstances prevent the university from gathering sufficient evidence.
  - (c) The dismissal of a formal complaint shall be done simultaneously and in writing to the parties.
  - (d) A dismissal of a formal complaint may be appealed pursuant to paragraph (F)(10) of this policy.
  - (e) A formal complaint which is dismissed pursuant to this policy may be considered under a different university policy, 3356-2-03, "Discrimination/ harassment," rule of 3356-2-03 of the Administrative Code, or 3356-7-04, "Workplace and off-campus violence, threats, and disruptive behavior," rule of 3356-7-04 of the Administrative Code, or under "The Student Code of Conduct."
- (5) Informal resolution. At any time prior to reaching a determination regarding responsibility, the university may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication.
  - (a) Both parties' voluntary, written consent to the informal resolution process is necessary. At any time prior to

- agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint.
- (b) Informal resolution is not an option for resolving allegations that an employee or faculty member sexually harassed a student.
- (6) Investigation. The Title IX coordinator or designee is responsible for investigating formal complaints which meet the criteria of this policy.
- (a) The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the investigator and not on the parties.
  - (b) The respondent is not considered responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
  - (c) The university shall not access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the university obtains that party's voluntary, written consent to do so for a grievance process under this section or as permitted by law.
  - (d) The parties shall have an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence during the course of the investigation. All parties are free to discuss the allegations under investigation or to gather and present relevant evidence.
  - (e) All parties shall have the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or

- proceeding by the advisor of their choice including an attorney. However, the advisor may not speak during any interview or proceedings, with the exception of the cross-examination portion of any hearing.
- (f) Any party whose participation is invited or expected shall receive written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings with sufficient time for the party to prepare to participate.
  - (g) Both parties shall receive an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.
  - (h) Prior to completion of the investigative report, the investigator shall send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties shall have ten calendar days to submit a written response, which the investigator will consider prior to completion of the investigative report.
  - (i) The investigator shall make all evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.
  - (j) The investigator shall create an investigative report that fairly summarizes relevant evidence and shall provide a copy, in electronic or hard copy format, to the parties and their advisors at least ten calendar days prior to any hearing. Either party can submit a written response to the investigator during these ten days.
- (7) Hearings. Formal complaints that are not resolved informally or dismissed will result in a live hearing.



- (a) The hearing will be scheduled by the office of student conduct and will be held before a Title IX decision-maker. Where the complainant and respondent are both employees and/or faculty members, the Title IX coordinator will convene the hearing.
- (b) Live hearings may be conducted with all parties physically present in the same geographic location, or participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other.
- (c) The decision-maker shall permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the live hearing shall be conducted directly, orally, and in real-time by the party's advisor of choice and never by a party personally.
- (d) At the request of either party, the hearing may occur with the parties located in separate rooms with technology enabling the decision-maker(s) and parties to simultaneously see and hear the party or the witness answering questions.
- (e) Only relevant cross-examination and other questions may be asked of a party or witness. Before a complainant, respondent, or witness answers a cross-examination or other question, the decision-maker shall first determine whether the question is relevant and explain any decision to exclude a question as not relevant. Parties may not challenge the relevancy determination of the decision-maker, except on appeal.
- (f) Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

- (g) If a party does not have an advisor present at the live hearing, the university shall provide, without fee or charge to that party, an advisor of the university's choice to conduct cross-examination on behalf of that party.
  - (h) If a party or witness does not submit to cross-examination at the live hearing, the decision-maker(s) shall not rely on any statement of that party or witness in reaching a determination regarding responsibility, provided, however, that the decision-maker cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.
  - (i) Credibility determinations shall not be based on a person's status as a complainant, respondent, or witness.
  - (j) Parties are not required to divulge any medical, psychological, or similar privileged records as part of the hearing process.
  - (k) The decision-maker shall create an audio recording for a live hearing and an audiovisual recording for a virtual live hearing. Such recording will be available to the parties for inspection and review upon written request to the convener.
- (8) Findings.
- (a) The hearing decision-maker shall issue a written determination simultaneously to the parties regarding responsibility/policy violation(s) and sanctions/discipline when responsibility/policy violation is found to have occurred. To reach this determination, the preponderance of the evidence standard (whether it is more likely than not that the alleged conduct occurred) will be used.
  - (b) The determination regarding responsibility and sanction(s)/discipline becomes final either on the date that the university provides the parties with the written determination of the result of the appeal, if an appeal is

filed; or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

- (c) The written determination shall include:
  - (i) Identification of the allegations potentially constituting sexual harassment.
  - (ii) A description of the procedural steps which were followed starting with the formal complaint and continuing through determination.
  - (iii) The finding of facts that support the determination.
  - (iv) A conclusion applying the appropriate definition of the university's policy to the facts.
  - (v) A rationale for the result of each allegation regarding the determination of responsibility.
  - (vi) For respondents who are students, the hearing decision-maker shall consult with the vice president of student experience or their designee regarding sanctions. For respondents who are employees or faculty members the hearing decision maker shall consult with the chief human resources officer, or their designee, regarding discipline.
  - (vii) Information regarding whether remedies designed to restore or preserve equal access to the university's education program or activity will be provided to the complainant. The Title IX coordinator is responsible for effective implementation of any remedies.
  - (viii) The procedures and bases for the complainant and respondent to appeal the determination.
- (9) Sanctions/discipline.
  - (a) Students.

- (i) Possible sanctions for student respondents: warning, conduct probation with or without loss of good standing, restitution, educational sanctions, residential suspension, university suspension, residential expulsion, university expulsion, revocation of admission and/ or degree, withholding degree, and fines.
- (ii) Serious misconduct is defined as any act of sexual assault, domestic violence, dating violence, stalking, sexual exploitation, or any assault that employs the use of a deadly weapon, as defined in division (A) of section 2923.11 of the Revised Code, or causes serious bodily injury. Students found responsible for violations of the serious misconduct policy will face, at minimum, a sanction of conduct probation with loss of good standing for one calendar year, preventing the student from participating in any extracurricular functions including athletics, student organizations, and student employment. After one year, students may petition the dean of students, or designee, for permission to participate in extracurricular activities and employment.

Students returning from a sanction of suspension will automatically be placed on conduct probation with loss of good standing for one calendar year, preventing the student from participating in any extracurricular functions including athletics, student organizations, and student employment. After one year, students may petition the dean of students, or designee, for permission to participate in extracurricular activities and employment.

- (b) Possible sanctions/discipline for employee or faculty respondents: employment probation, demotion or reassignment, suspension with or without pay for a specific period of time, termination of employment, ineligibility for rehire, and/or other sanctions or remedies as deemed appropriate under the circumstances.

- (10) The appeal process.
- (a) Filing an appeal.
    - (i) Appeals are not a re-hearing of the allegation(s).
    - (ii) Only a complainant or respondent (referred to as party or parties) may request an appeal.
    - (iii) An appeal must be submitted in writing to the Title IX coordinator within five working days from receipt of a decision using the “Title IX Appeal Request Form” and include all supporting material.
    - (iv) A party may appeal the determination regarding responsibility, sanctions/discipline and/or the university’s dismissal of a formal complaint or any allegations therein.
    - (v) There are four grounds for appeal:
      - (1) Procedural irregularity that significantly impacted the outcome of the matter (for example material deviation from established procedures). The appeal request must cite specific procedures and how they were in error; and/or
      - (2) New evidence that was not reasonably available at the time the original decision was made that could have affected the outcome. A summary of this new evidence and its potential impact must be included in the request. (Note: Failure to participate or provide information during an investigation or hearing, even based on concern over a pending criminal or civil proceeding, does not make information unavailable during the original investigation or hearing); and/or
      - (3) The Title IX coordinator, investigator(s), or decision-maker(s) had a conflict of interest or

bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter. The appeal must cite specific examples of how the bias affected the outcome.

- (4) The discipline/sanction(s) imposed are substantially outside the parameters or guidelines set by the university for this type of violation or the cumulative conduct record of the responding party.
- (b) Title IX appellate review officer (hereinafter referred to as appellate review officer). Upon receipt of a request for appeal, the Title IX coordinator will designate a Title IX appellate review officer as follows:
- (i) Appeals where the respondent is a student, the appellate officer will be either the vice president for student affairs or their designee or a deputy Title IX coordinator who did not participate in the investigation or hearing.
  - (ii) Appeals where the respondent is a faculty member or employee, the appellate officer will be either the chief human resources officer or their designee or a deputy Title IX coordinator who did not participate in the investigation or hearing.
  - (iii) The appellate officer cannot be the investigator, Title IX coordinator, or the person who acted as the decision-maker regarding the determination of responsibility/policy violation, or dismissal.
- (c) Appeal procedures:
- (i) Generally, within five business days after receipt of the request for appeal by the appellate review officer, the appellate review officer will conduct an initial review of the appeal request(s) to determine whether the appeal is timely and satisfies the grounds for appeal.

- (ii) If the appeal request is not timely or does not satisfy the grounds for appeal, the appeal request will be denied, the parties will be notified, and the finding and sanction or responsive action/remedies will stand. The decision not to accept an appeal request is final and is not subject to further appeal.
- (iii) If the appeal request is timely and meets the ground for appeal, the Title IX coordinator will notify the parties that the appeal has been accepted and will notify the non-appealing party that they may file a response within three business days from notification.
- (iv) The appellate review officer will then review the issues presented in the appeal and any response(s).
- (v) The standard on appeal is whether there is relevant evidence/information such that a reasonable person would support the decision(s).
- (vi) The appellate review officer can take one of the following actions:
  - (1) Affirm the original findings;
  - (2) Remand the case to the original investigators or hearing panel for consideration of new evidence or to remedy a procedural irregularity;
  - (3) Remand the case to a new investigator in a case of bias. The appellate review officer, may order a new investigation with a new investigator or hearing panel; or
  - (4) Administratively alter the finding if bias, procedural irregularity or new evidence, unknown or unavailable during the original investigation, substantially affected the original finding, and the associated sanctions or responsive action.

- (vii) Decisions rendered by the appellate review officer or actions taken following the decisions appellate review officer's decision are final and not subject to further appeal.
  - (viii) Cases that are sent back to the investigator or hearing panel are not eligible for a second appeal.
- (G) Article VI. 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 paragraph (D) of this policy. 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 paragraph (D)(1) of this policy. Cases of alleged violations of the academic integrity policy shall be resolved as outlined in this paragraph.
    - (c) The process outlined in this paragraph 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 two university working days 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 video conference, as appropriate. The faculty member may consult with the judicial chair of the academic grievance subcommittee or the office of community standards and 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 paragraph (F)(3) of this policy, 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 community standards and 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 community standards and student conduct to be placed in the student's file. The office of community standards and 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 in this paragraph.
- (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 community standards and 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 community standards and student conduct and forwarded to the judicial chair to initiate a hearing before the academic grievance subcommittee. A representative from the office of community standards and 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 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 dean of students, or designee, and may serve up to three years on the subcommittee. In addition, six graduate students (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 community standards and student conduct.
  - (ii) At least 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, or designee, 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 office of community standards and student conduct.

- (c) Within two university working days of receiving the statement and evidence, the judicial chair, or designee, 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 hearing packet.
- (d) A hearing date, time, and location for the academic grievance subcommittee hearing will be established by the judicial chair, or designee. Academic grievance subcommittee members shall have a minimum of three university working days to review all written materials in the academic integrity hearing 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 or recorded 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 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 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/guardian, 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/guardian 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.
  - (e) 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 to provide equal treatment to all parties. This may include either teleconference or video conferencing platforms, 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 community standards and 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 community standards and 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 fifty per cent 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 community standards and student conduct, the graduate school dean when appropriate, the provost and all parties directly involved in the hearing, except advisors and witnesses.
    - (i) Notice of the hearing panel's decision ends the academic grievance subcommittee's involvement in the disposition of the case.
    - (ii) A file of all pertinent documents for all academic integrity hearings shall be kept by the office of the provost and the office of community standards and student conduct.

- (iii) 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, the office of community standards and 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 community standards and 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. Sanctions for violations of the academic integrity policy may include, but are limited to, the following:
- (a) Issuing 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, the office of community standards and 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 community standards and student conduct for possible additional charges and sanctioning.
- (H) 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 near 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 thirty 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 community standards and student conduct. The results of the “1219 hearing” discussed in this paragraph 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 previously noted, 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 community standards and 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. If the student is not under an interim suspension or has been found not 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 community standards and 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 their 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 used 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.

- (I) 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, 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 community standards and 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 dean of students, 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 because of parental/guardian notification.
  - (c) The notification will be provided in writing from the office of community standards and 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 community standards and 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.

- (J) 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 dean of students, or designee. The dean of students, or designee, shall distribute the recommendation to the appropriate areas and gather feedback. If the change is endorsed by the dean of students, or designee, the change shall be presented to the board of trustees for adoption.

- (K) Glossary of terms when used in "The Student Code of Conduct."

- (1) The term "due process" is an assurance that all accused students will receive notice of charges, notice of the evidence to be used against them, and the opportunity to participate in a hearing prior to the deprivation of any educational property interest.
- (2) 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.

- (3) 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 Student Code of Conduct” or from the sanctions imposed by the student conduct body.
- (4) The terms “can,” “may,” or “should” specify a discretionary provision of “The Student Code of Conduct.”
- (5) The term “complainant” shall mean any party harmed by the actions of a student who allegedly violated “The Student Code of Conduct.”
- (6) The term “deputy conduct officer” shall mean a university official authorized on a case-by-case basis by the student conduct administrator to review complaints, determine responsibility, and impose sanctions upon students found to have violated “The Student Code of Conduct.”
- (7) 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 situation shall be determined by the relevant circumstances.
- (8) 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.
- (9) 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.
- (10) 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.

- (11) 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.
- (12) 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.
- (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 “organization” shall mean a university-registered student organization which as complied with formal requirements of official registration.
- (16) 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,” the university website, undergraduate/graduate catalogs, university policies, and board of trustees policies.
- (17) The term “respondent” shall mean any student accused of violating “The Student Code of Conduct.”
- (18) The terms “shall,” “must,” “will,” or “is required” specify a mandatory requirement of the code.
- (19) 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 enrolled at the university.

- (20) The term “student conduct administrator” is the dean of students, or designee, who shall be responsible for the administration of the code and the university student conduct process.
- (21) 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.
- (22) 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.
- (23) The term “student conduct officer” is the assistant dean of students for community standards, advocacy, and 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.”
- (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 university policy 3356-7-03 concerning weapons on campus (rule 3356-7-03 of the Administrative Code).
- (29) All other terms have their natural meaning unless the context otherwise dictates.



**YOUNGSTOWN  
STATE  
UNIVERSITY**

**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, honoris causa, upon David Lee Morgan Jr., with all the rights and privileges attendant thereto.

**Board of Trustees Meeting  
September 21, 2022  
YR 2023-**

## David Lee Morgan, Jr. Biography

David Lee Morgan, Jr. is an English and Video Journalism teacher at Stow-Munroe Falls High School in Stow, Ohio, and a public speaker. He is a proud graduate of Youngstown State University, earning his bachelor's degree in Professional Writing and Editing, with a minor in Journalism, and earning his master's degree in Curriculum and Instruction from Western Governor's University. David Lee was inducted into the Trumbull County African American Achievers Hall of Fame and the Warren High Schools' Distinguished Alumni Hall of Fame.

Prior to David Lee entering the education field seven years ago, he established himself in the journalism field as a longtime, successful sportswriter. David Lee worked at the Warren Tribune Chronicle, the Youngstown Vindicator, the Raleigh (NC) News & Observer, the Binghamton (NY) Press & Sun Bulletin, and the Akron Beacon Journal, and was a television reporter for WTYV-Channel 33 in Youngstown.

David Lee spent 15 years at the Beacon Journal where he won numerous awards covering high school, collegiate, and professional sports. He covered the Cleveland Indians during the 1997 World Series and was the Cleveland Cavaliers' beat writer for the Beacon Journal during the 2002-2003 season. David Lee is the author of nine books, including the first biography written about NBA superstar LeBron James, entitled, *LeBron James: The Rise of a Star*. David Lee also authored the book, *More Than a Coach: What It Means to Play for Coach, Mentor, and Friend Jim Tressel*.

David Lee is a co-producer of the regional Emmy-Award winning documentary *Lines Broken: The Story of Marion Motley*, a film produced by PBS Western Reserve and distributed nationally on PBS stations by American Public Television. The film highlights NFL Hall of Fame running back and Canton native Marion Motley, who was one of four African Americans to break the color barrier in professional sports in 1946, a year before Jackie Robinson.

David Lee and his wife, Jill, reside in Northeast Ohio, with their two labs, D. J. and Donut.





**RESOLUTION TO MODIFY  
SCHEDULING OF INTERCOLLEGIATE ATHLETICS AND UNIVERSITY  
SPONSORED AND RECOGNIZED STUDENT ORGANIZATION  
ACTIVITIES DURING FINAL EXAMINATION PERIOD POLICY, 3356-6-01**

**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 Scheduling of Intercollegiate Athletics and University Sponsored and Recognized Student Organization Activities During Final Examination Period 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 Scheduling of Intercollegiate Athletics and University Sponsored and Recognized Student Organization Activities During Final Examination Period, policy number 3356-6-01, attached hereto.

**Board of Trustees Meeting  
September 21, 2022  
YR 2023-**

**3356-6-01 Scheduling of intercollegiate athletics and university sponsored and recognized student organization activities during final examination period.**

Responsible Division/Office: Intercollegiate Athletics, Academic Affairs  
Responsible Officers: Executive Director for Athletics; Provost/  
Vice President for Academic Affairs  
Revision History: June 1998; March 2007; March 2011; June 2017;  
September 2022  
Board Committee: Intercollegiate Athletics  
**Effective Date: September 21, 2022**  
Next Review: 2027

---

- (A) Policy statement. Youngstown state university (“university”) is committed to the academic success of its students. The university acknowledges that intercollegiate athletics and activities sponsored by the university and recognized university student organization help students to develop the skills necessary for lasting success and personal development. Therefore, such events and activities shall be scheduled to provide students with the opportunity to excel in the university’s academic environment while also engaging in athletic competition and a variety of learning experiences.
- (B) Procedures.
- (1) The executive director of intercollegiate athletics, or designee, is responsible for scheduling intercollegiate athletic events.
  - (2) When scheduling intercollegiate athletic events, the university schedule of operations will be used as a guide in establishing dates and times.
  - (3) Only NCAA or conference-sponsored tournament events may be scheduled during a final examination period. Student-athletes are to miss no part of an examination week due to travel for a regular athletic event. Exceptions for regular season contests which occur during a final examination period must receive approval from the provost/vice president for academic affairs and the faculty athletic representative.

- (4) After approval, the executive director of intercollegiate athletics, or designee, will prepare a list of all student-athlete participants traveling to an NCAA or conference-sponsored event during a final examination period and will distribute the list to college deans and appropriate faculty members.
- (5) University and/or recognized university student organization activities, regardless of whether travel is/is not involved, will not be scheduled during a final examination period. Exceptions to scheduling such events/activities during a final examination period must receive approval from the provost/vice president for academic affairs.
- (6) After approval, the university unit or student organization will prepare a list of all students participating in an event/activity during a final examination period and will forward the list to the associate provost for academic administration, who will distribute the list to college deans and appropriate faculty members. Failure to provide the list to the associate provost for academic administration in a timely manner may result in withdrawal of approval.
- (7) Students are responsible for making arrangements to complete all assignments and/or examinations that are missed because of NCAA or conference-sponsored events, university sponsored events/activities, or recognized university student organization events/activities in accordance with the academic senate excused absence policy.

**3356-6-01 Scheduling of intercollegiate athletics and university sponsored and recognized student organization activities during final examination period.**

Responsible Division/Office: Intercollegiate Athletics, Academic Affairs  
Responsible Officers: Executive Director for Athletics; Provost/  
Vice President for Academic Affairs  
Revision History: June 1998; March 2007; March 2011; June 2017;  
[September 2022](#)  
Board Committee: ~~Academic and Student Affairs~~ [Intercollegiate  
Athletics](#)  
**Effective Date:** ~~June 14, 2017~~ [September 21, 2022](#)  
Next Review: ~~2022~~ [2027](#)

---

- (A) Policy statement. Youngstown state university (“university”) is committed to the academic success of its students. The university acknowledges that intercollegiate athletics and activities sponsored by the university and recognized university student organization help students to develop the skills necessary for lasting success and personal development. Therefore, such events and activities shall be scheduled to provide students with the opportunity to excel in the university’s academic environment while also engaging in athletic competition and a variety of learning experiences.
- (B) Procedures.
- (1) The executive director of intercollegiate athletics, or designee, is responsible for scheduling intercollegiate athletic events.
  - (2) When scheduling intercollegiate athletic events, the university schedule of operations will be used as a guide in establishing dates and times.
  - (3) Only NCAA or conference-sponsored tournament events may be scheduled during a final examination period. Student-athletes are to miss no part of an examination week due to travel for a regular athletic event. Exceptions for regular season contests which occur during a final examination period must receive approval from the

provost/vice president for academic affairs and the faculty athletic representative.

- (4) After approval, the executive director of intercollegiate athletics, or designee, will prepare a list of all student-athlete participants traveling to an NCAA or conference-sponsored event during a final examination period and will distribute the list to college deans and appropriate faculty members.
- (5) University and/or recognized university student organization activities, regardless of whether travel is/is not involved, will not be scheduled during a final examination period. Exceptions to scheduling such events/activities during a final examination period must receive approval from the provost/vice president for academic affairs.
- (6) After approval, the university unit or student organization will prepare a list of all students participating in an event/activity during a final examination period and will forward the list to the associate provost for academic administration, who will distribute the list to college deans and appropriate faculty members. Failure to provide the list to the associate provost for academic administration in a timely manner may result in withdrawal of approval.
- (7) Students are responsible for making arrangements to complete all assignments and/or examinations that are missed because of NCAA or conference-sponsored events, university sponsored events/activities, or recognized university student organization events/activities in accordance with the academic senate excused absence policy.



**RESOLUTION TO RESCIND  
INTERCOLLEGIATE ATHLETICS PROGRAMS – STUDENT-  
ATHLETES POLICY, 3356-6-02**

**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 Policy governing Intercollegiate Athletics Programs – Student-Athletes, policy number 3356-6-02, attached hereto.

**Board of Trustees Meeting  
September 21, 2022  
YR 2023-**

## To Be Rescinded

### **3356-6-02 Intercollegiate athletics programs – student-athletes.**

Responsible Division/Office:	Intercollegiate Athletics
Responsible Officer:	President
Revision History:	September 1999; March 2007; March 2011; June 2017
Board Committee:	Academic and Student Affairs
<b>Effective Date:</b>	<b>June 14, 2017</b>
Next Review:	2022

---

- (A) Policy statement. In conjunction with the mission and goals of Youngstown state university (“university”), intercollegiate athletics offers broad-based programs that support the educational objectives and academic progress of student-athletes; comply with the regulations of the national collegiate athletic association (“NCAA”) and university affiliated intercollegiate athletic conferences; and accommodates the institution’s intercollegiate athletic competitive interest of students while providing spectator events of interest to students, faculty, staff, and members of the broader community. The university through the intercollegiate athletics department is committed to the welfare of student-athletes, academic integrity, sportsmanship and ethical integrity, fiscal integrity, ethnic diversity of student-athletes and staff, gender equity, and community outreach.
- (B) Parameters.
- (1) The president has overall responsibility for the administration of all aspects of the intercollegiate athletics program of the university.
  - (2) The executive director of intercollegiate athletics has been delegated the overall accountability for the intercollegiate athletics program and its compliance with all conference and NCAA regulations.
  - (3) The associate director intercollegiate athletics is delegated the responsibility for the development, maintenance, management of conference and NCAA compliance programs.

## To Be Rescinded

- (4) Compliance with university, conference and NCAA regulations is a primary responsibility of coaches, departmental staff, student-athletes, parents, boosters, and others associated with the department of intercollegiate athletics, as well as all fiscal matters, including fundraising, must be conducted within such stated regulations.
  - (5) Members of the university community are expected to follow conference and NCAA regulations.
  - (6) The effectiveness of the compliance program will be evaluated on a regular basis.
  - (7) The primary objective of the intercollegiate athletics program is to promote the physical, emotional, and educational welfare of student-athletes, while utilizing prudent management and fiscal practices in providing opportunities for competition as an integral part of their quality educational experience.
  - (8) Both academic and athletic abilities are considered during the student athletic recruitment process and followed up with offering a variety of support services upon enrollment, including academic and personal counseling, tutorial services, and substances abuse education and testing.
  - (9) The department of intercollegiate athletics maintains revenue-producing team in NCAA division I men's and women's basketball and football at the division I football championship subdivision level.
  - (10) A variety of other historically nonrevenue-producing intercollegiate athletic men's and women's teams are also supported.
  - (11) Each of the intercollegiate athletics teams and staff members must exercise ethical conduct and support the principles of amateur athletic competition, fair play, and sportsmanship, and follow the NCAA goals regarding gender equity and minority opportunity.
- (C) Procedures.



## To Be Rescinded

- (1) The executive director of intercollegiate athletics reports quarterly to the board of trustees on matters related to athletic accomplishments and developments and budget and finances.
- (2) The associate director athletics has a direct reporting line to the president in matters of NCAA rule and Title IX compliance.
- (3) The faculty athletic representative, serving as a liaison between the university's academic enterprise and its intercollegiate athletics department, helps ensure the academic integrity of the athletics program as well as being an advocate for student-athlete welfare. The faculty athletics representative reports directly to the president and provides a yearly update to the academic senate.
- (4) The intercollegiate athletics council reviews, on a regular basis, intercollegiate athletics policies and procedures.
- (5) The intercollegiate athletics department is responsible for developing, updating, and distributing the "Student-Athlete Handbook."
- (6) The executive director of intercollegiate athletics, or designee, will meet regularly with the student-athletes advisory committee to discuss areas of interest and concern.
- (7) All fundraising activities are conducted in accordance with rules 3356-5-07, 3356-5-09, and 3356-5-12 of the Administrative Code. (See also corresponding university policies 3356-5-07, 3356-5-09, and 3356-5-12 on the ["University Policies" webpage](#).)



**RESOLUTION TO MODIFY AND RETITLE  
GOVERNANCE OF INTERCOLLEGIATE ATHLETICS POLICY,  
3356-6-03**

**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 Governance of Intercollegiate Athletics policy has been reviewed 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 Governance of Intercollegiate Athletics, policy number 3356-6-03, to be retitled as Governance and Operation of Intercollegiate Athletics Programs – Student Athletes, attached hereto.

**Board of Trustees Meeting  
September 21, 2022  
YR 2023-**

**3356-6-03 Governance and operation of intercollegiate athletics programs – student athletes.**

Responsible Division/Office: Intercollegiate Athletics  
Responsible Officers: President and Executive Director of Athletics  
Revision History: February 2012; June 2012; December 2018;  
September 2022  
Board Committee: Intercollegiate Athletics  
**Effective Date: September 21, 2022**  
Next Review: 2027

---

- (A) Policy statement. In conjunction with the mission and goals of Youngstown state university (“university”), intercollegiate athletics offers broad-based programs that support the educational objectives and academic progress of student-athletes; comply with the regulations of the national collegiate athletic association (“NCAA”) and university affiliated intercollegiate athletic conferences; and accommodates the institution’s intercollegiate athletic competitive interest of students while providing spectator events of interest to students, faculty, staff, and members of the broader community. The university through the intercollegiate athletics department is committed to the wellbeing of student-athletes, academic integrity, sportsmanship and ethical integrity, fiscal integrity, diversity of student-athletes and staff, gender equity, and community outreach. The intercollegiate athletics programs will be managed to reflect the educational values and mission of the university, to achieve the academic success of student-athletes, and to develop pride and support among students, faculty, staff, alumni, and the community at large. The board of trustees will properly oversee athletics at Youngstown state university.
- (B) Purpose. To delineate the roles of the university’s board of trustees, president and university administrators in the governance of intercollegiate athletics consistent with leadership and oversight responsibilities. To establish procedures for operation of intercollegiate athletics programs.
- (C) Scope. This policy applies to sports played at the collegiate level with eligibility requirements established by the NCAA.
- (D) Oversight by the board of trustees. The board of trustees provides broad oversight of the intercollegiate athletics program’s fiscal integrity,

administrative structure, operational activities and the overall development and success of student-athletes to ensure consistency with the mission of the university, the mission of the athletics department, and in compliance with applicable laws, regulations, and university policy. The board of trustees carries out this oversight by:

- (1) Delegating administrative responsibility for intercollegiate athletics and its management to the office of the president and lending its full and public support to the president in the execution of these duties.
- (2) Approving, with the president, standards of accountability, and benchmarks against which to measure the success of the intercollegiate athletics program; in particular, those related to the academic performance and progress of the student-athletes and reviewing the same at least annually.
- (3) Holding the president responsible for the appropriate execution of those responsibilities, assessing presidential performance during periodic reviews.
- (4) Reviewing and approving the intercollegiate athletics budget as part of the regular institutional budget process, including revenue, expenditures, compensation procedures for athletic director and coaches, debt capacity, and gift policies, in keeping with the board of trustees' overall responsibility as financial stewards of the institution.
- (5) Reviewing and approving the intercollegiate athletics' mission statement that reflects the university's mission and academic values.
- (6) Including in new board member orientation an overview of the intercollegiate athletics department and review of all policies.
- (7) Ensuring the full integration of the intercollegiate athletics department into the administrative structure of the university.
- (8) Periodically conducting a review of governance policies related to intercollegiate athletics.

- (9) Ensuring the proper independent oversight of all funds raised and expended by booster clubs and affiliated organizations.
  - (10) Monitoring the compensation packages and contract terms of the athletic director and head coaches of major sports, and ensuring compensation policies are consistent with the university's overall standards.
- (E) Responsibilities of the president of the university. The responsibilities of the president include, but are not limited to:
- (1) Exercising ultimate administrative responsibility for all aspects of the intercollegiate athletics program.
  - (2) Overseeing the university's executive director of athletics.
  - (3) In conjunction with the executive director of athletics and appropriate athletics department staff:
    - (a) Establishing appropriate measures and benchmarks necessary to assess the success of the intercollegiate athletics program.
    - (b) Establishing and upholding academic and eligibility standards for student-athletes that reflect the university's mission and values.
  - (4) Appointing and establishing the term of the NCAA faculty representative(s).
- (F) Responsibilities of the executive director of athletics. The responsibilities of the executive director of athletics include, but are not limited to:
- (1) Developing the athletic department's mission statement and ensuring that it reflects the university's mission and academic values.
  - (2) Exercising day-to-day control over the activities of the athletic department, including but not limited to student-athlete educational programs and objectives, personnel decisions, corporate sponsorships/partnerships, broadcasting contracts, affiliated

organizations and fund raising efforts.

- (3) Providing information regarding accountability and benchmarks to the university president and board of trustees and reporting quarterly to the board of trustees on matters related to athletic accomplishments, developments, budget and finances.
  - (4) Administering financial and managerial affairs with transparency and adherence to university business practices.
  - (5) Communicating clearly with the board of trustees, coaches, administrators, students, faculty, boosters, and alumni concerning compliance with institutional, conference, and NCAA rules and regulations; the mission, values and goals of the athletics department; appropriate contact with donors and students.
  - (6) Establishing expectations for on- and off-field ethical and respectful standards of behavior for coaches and student-athletes appropriate to their positions and as representatives of the university.
  - (7) Monitoring and promoting compliance with all federal, state, institutional, conference, and NCAA rules and regulations to which the university is subject, including provisions concerning gender equity.
  - (8) Reporting and responding to known and alleged NCAA violations according to procedures established by the NCAA and informing the president of such violations.
- (G) Responsibilities of the NCAA faculty representative(s). The NCAA faculty representative(s) report directly to the president. Their responsibilities include but are not limited to:
- (1) Ensuring and promoting the academic, health, and social wellbeing of student-athletes and the academic integrity of the intercollegiate athletics program.

- (2) Serving as the liaison between the faculty and the athletic department.
  - (3) Representing the university with the NCAA and with its conferences.
  - (4) Providing a yearly update to the academic senate.
- (H) Parameters.
- (1) Compliance with university, conference and NCAA regulations is a primary responsibility of coaches, departmental staff, student-athletes, parents, boosters, and others associated with the department of intercollegiate athletics, as well as all fiscal matters, including fundraising, must be conducted within such stated regulations.
  - (2) Members of the university community are expected to follow conference and NCAA regulations.
  - (3) The effectiveness of the compliance program will be evaluated on a regular basis.
  - (4) The primary objective of the intercollegiate athletics program is to promote the physical, emotional, and educational wellbeing of student-athletes, while utilizing prudent management and fiscal practices in providing opportunities for competition as an integral part of their quality educational experience.
  - (5) Both academic and athletic abilities are considered during the student athletic recruitment process and followed up with offering a variety of support services upon enrollment, including academic and personal counseling, tutorial services, and substances abuse education and testing.
  - (6) The department of intercollegiate athletics maintains revenue-producing teams in NCAA division I men's and women's basketball, and in NCAA division I football championship subdivision level football.

- (7) A variety of other historically nonrevenue-producing intercollegiate athletic men's and women's teams are also supported.
  - (8) Each of the intercollegiate athletics teams and staff members must exercise ethical conduct and support the principles of amateur athletic competition, fair play, and sportsmanship, and follow the NCAA goals regarding gender equity and diversity.
- (I) Procedures.
- (1) The intercollegiate athletics council reviews, on a regular basis, intercollegiate athletics policies and procedures.
  - (2) The intercollegiate athletics department is responsible for developing, updating, and distributing the "Student-Athlete Handbook."
  - (3) The executive director of intercollegiate athletics, or designee, will meet regularly with the student-athletes advisory committee to discuss areas of interest and concern.
  - (4) All fundraising activities are conducted in accordance with rules 3356-5-07, 3356-5-09, and 3356-5-12 of the Administrative Code (university policies 3356-5-07, "Gifts for the Benefit of the University", 3356-5-09, "Endowment Funds", and 3356-5-12, "Licensing of University Names and Marks").



**3356-6-03      Governance of and operation of intercollegiate athletics programs – student athletes.**

Responsible Division/Office: Intercollegiate Athletics  
Responsible ~~Officer~~Officers: President and Executive Director of Athletics  
Revision History: February 2012; June 2012; December 2018;  
September 2022  
Board Committee: ~~University Affairs~~Intercollegiate Athletics  
**Effective Date:** ~~December 6, 2018~~September 21, 2022  
Next Review: ~~2023~~2027

---

- (A) Policy statement. In conjunction with the mission and goals of Youngstown state university (“university”), intercollegiate athletics offers broad-based programs that support the educational objectives and academic progress of student-athletes; comply with the regulations of the national collegiate athletic association (“NCAA”) and university affiliated intercollegiate athletic conferences; and accommodates the institution’s intercollegiate athletic competitive interest of students while providing spectator events of interest to students, faculty, staff, and members of the broader community. The university through the intercollegiate athletics department is committed to the wellbeing of student-athletes, academic integrity, sportsmanship and ethical integrity, fiscal integrity, diversity of student-athletes and staff, gender equity, and community outreach. The intercollegiate athletics programs ~~at Youngstown state university (“university”)~~ will be managed to reflect the educational values and mission of the university, to achieve the academic success of student-athletes, and to develop pride and support among students, faculty, staff, alumni, and the community at large. The board of trustees will properly oversee athletics at Youngstown state university.
- (B) Purpose. To delineate the roles of the university’s board of trustees, president -and university administrators in the governance of intercollegiate athletics consistent with leadership and oversight responsibilities. To establish procedures for operation of intercollegiate athletics programs.
- (C) Scope. This policy applies to sports played at the collegiate level with eligibility requirements established by the NCAA.

- (D) Oversight by the board of trustees. The board of trustees provides broad oversight of the intercollegiate athletics program's fiscal integrity, administrative structure, operational activities and the overall development and success of student-athletes to ensure consistency with the mission of the university, the mission of the athletics department, and in compliance with applicable laws, regulations, and university policy. The board of trustees carries out this oversight by:
- (1) Delegating administrative responsibility for intercollegiate athletics and its management to the office of the president and lending its full and public support to the president in the execution of these duties.
  - (2) Approving, with the president, standards of accountability, and benchmarks against which to measure the success of the intercollegiate athletics program; in particular, those related to the academic performance and progress of the student-athletes and reviewing the same at least annually.
  - (3) Holding the president responsible for the appropriate execution of those responsibilities, assessing presidential performance during periodic reviews.
  - (4) Reviewing and approving the intercollegiate athletics budget as part of the regular institutional budget process, including revenue, expenditures, compensation procedures for athletic director and coaches, debt capacity, and gift policies, in keeping with the board of trustees' overall responsibility as financial stewards of the institution.
  - (5) Reviewing and approving the intercollegiate athletics' mission statement that reflects the university's mission and academic values.
  - (6) Including in new board member orientation an overview of the intercollegiate athletics department and review of all policies.
  - (7) Ensuring the full integration of the intercollegiate athletics department into the administrative structure of the university.
  - (8) Periodically conducting a review of governance policies related to

intercollegiate athletics.

- (9) Ensuring the proper independent oversight of all funds raised and expended by booster clubs and affiliated organizations.
  - (10) Monitoring the compensation packages and contract terms of the athletic director and head coaches of major sports, and ensuring compensation policies are consistent with the university's overall standards.
- (E) Responsibilities of the president of the university. The responsibilities of the president include, but are not limited to:
- (1) Exercising ultimate administrative responsibility for ~~the conduct and control of~~ all aspects of the intercollegiate athletics program.
  - (2) Overseeing the university's executive director of athletics.
  - (3) In conjunction with the executive director of athletics and appropriate athletics department staff:
    - (a) Establishing appropriate measures and benchmarks necessary to assess the success of the intercollegiate athletics program.
    - (b) Establishing and upholding academic and eligibility standards for student-athletes that reflect the university's mission and values.
  - (4) Appointing and establishing the term of the NCAA faculty representative(s).
- (F) Responsibilities of the executive director of athletics. The responsibilities of the executive director of athletics include, but are not limited to:
- (1) Developing the athletic department's mission statement and ensuring that it reflects the university's mission and academic values.
  - (2) Exercising day-to-day control over the activities of the athletic department, including but not limited to student-athlete educational

programs and objectives, personnel decisions, corporate sponsorships/partnerships, broadcasting contracts, affiliated organizations and fund raising efforts.

- (3) Providing information regarding accountability and benchmarks to the university president and board of trustees [and reporting quarterly to the board of trustees on matters related to athletic accomplishments, developments, budget and finances.](#)
  - (4) Administering financial and managerial affairs with transparency and adherence to university business practices.
  - (5) Communicating clearly with the board of trustees, coaches, administrators, students, faculty, boosters, and alumni concerning compliance with institutional, conference, and NCAA rules and regulations; the mission, values and goals of the athletics department; appropriate contact with donors and students.
  - (6) Establishing expectations for on- and off-field ethical and respectful standards of behavior for coaches and student-athletes appropriate to their positions and as representatives of the university.
  - (7) Monitoring and promoting compliance with all federal, state, institutional, conference, and NCAA rules and regulations to which the university is subject, including provisions concerning gender equity.
  - (8) Reporting and responding to known and alleged NCAA violations according to procedures established by the NCAA and informing the president of such violations.
- (G) Responsibilities of the NCAA faculty representative(s). [The NCAA faculty representative\(s\) report directly to the president.](#) ~~The~~[Their](#) responsibilities ~~of the NCAA faculty representative~~ include but are not limited to:
- (1) Ensuring and promoting the academic, health, and social ~~welfare~~[wellbeing](#) of student-athletes [and the academic integrity of the intercollegiate athletics program.](#)

- (2) Serving as the liaison between the faculty and the athletic department.
- (3) Representing the university with the NCAA and with its conferences.
- (4) Providing a yearly update to the academic senate.

(H) Parameters.

- (1) Compliance with university, conference and NCAA regulations is a primary responsibility of coaches, departmental staff, student-athletes, parents, boosters, and others associated with the department of intercollegiate athletics, as well as all fiscal matters, including fundraising, must be conducted within such stated regulations.
- (2) Members of the university community are expected to follow conference and NCAA regulations.
- (3) The effectiveness of the compliance program will be evaluated on a regular basis.
- (4) The primary objective of the intercollegiate athletics program is to promote the physical, emotional, and educational wellbeing of student-athletes, while utilizing prudent management and fiscal practices in providing opportunities for competition as an integral part of their quality educational experience.
- (5) Both academic and athletic abilities are considered during the student athletic recruitment process and followed up with offering a variety of support services upon enrollment, including academic and personal counseling, tutorial services, and substances abuse education and testing.
- (6) The department of intercollegiate athletics maintains revenue-producing teams in NCAA division I men's and women's basketball, and in NCAA division I football championship subdivision level football.

- (7) A variety of other historically nonrevenue-producing intercollegiate athletic men's and women's teams are also supported.
- (8) Each of the intercollegiate athletics teams and staff members must exercise ethical conduct and support the principles of amateur athletic competition, fair play, and sportsmanship, and follow the NCAA goals regarding gender equity and diversity.

(I) Procedures.

- (1) The intercollegiate athletics council reviews, on a regular basis, intercollegiate athletics policies and procedures.
- (2) The intercollegiate athletics department is responsible for developing, updating, and distributing the "Student-Athlete Handbook."
- (3) The executive director of intercollegiate athletics, or designee, will meet regularly with the student-athletes advisory committee to discuss areas of interest and concern.
- (4) All fundraising activities are conducted in accordance with rules 3356-5-07, 3356-5-09, and 3356-5-12 of the Administrative Code (university policies 3356-5-07, "Gifts for the Benefit of the University", 3356-5-09, "Endowment Funds", and 3356-5-12, "Licensing of University Names and Marks").



## **RESOLUTION TO ACCEPT GIFT OF REAL ESTATE**

**WHEREAS**, Youngstown State University Board of Trustees policy provides that the Board of Trustees may be the recipient of gifts of real estate as determined by the President and as recommended to the Institutional Engagement Committee of the Board of Trustees; and

**WHEREAS**, the Youngstown State University Foundation owns approximately 166.3 acres of real estate, which includes a 5,132 square foot single-family residence, located on Tippecanoe Road in Boardman Township, as identified on the property map (“Real Estate”) attached hereto as Exhibit A; and

**WHEREAS**, Warren P. (“Bud”) Williamson, III recently gifted the Real Estate to the YSU Foundation with the directive that the Real Estate would be transferred to Youngstown State University (“University”) for use by the University to support innovation and education across all colleges and the Division of Workforce Education and Innovation (“DWEI”), with a focus on science-based activities, including science, technology, engineering and mathematics (“STEM”) programs, instruction, and academic teams, and K-12 outreach and participation; and

**WHEREAS**, the Real Estate is not to be developed for residential and commercial purposes or used for sports and recreational applications; and

**WHEREAS**, the Real Estate shall be named the Williamson Innovation Park (“WIP”); and

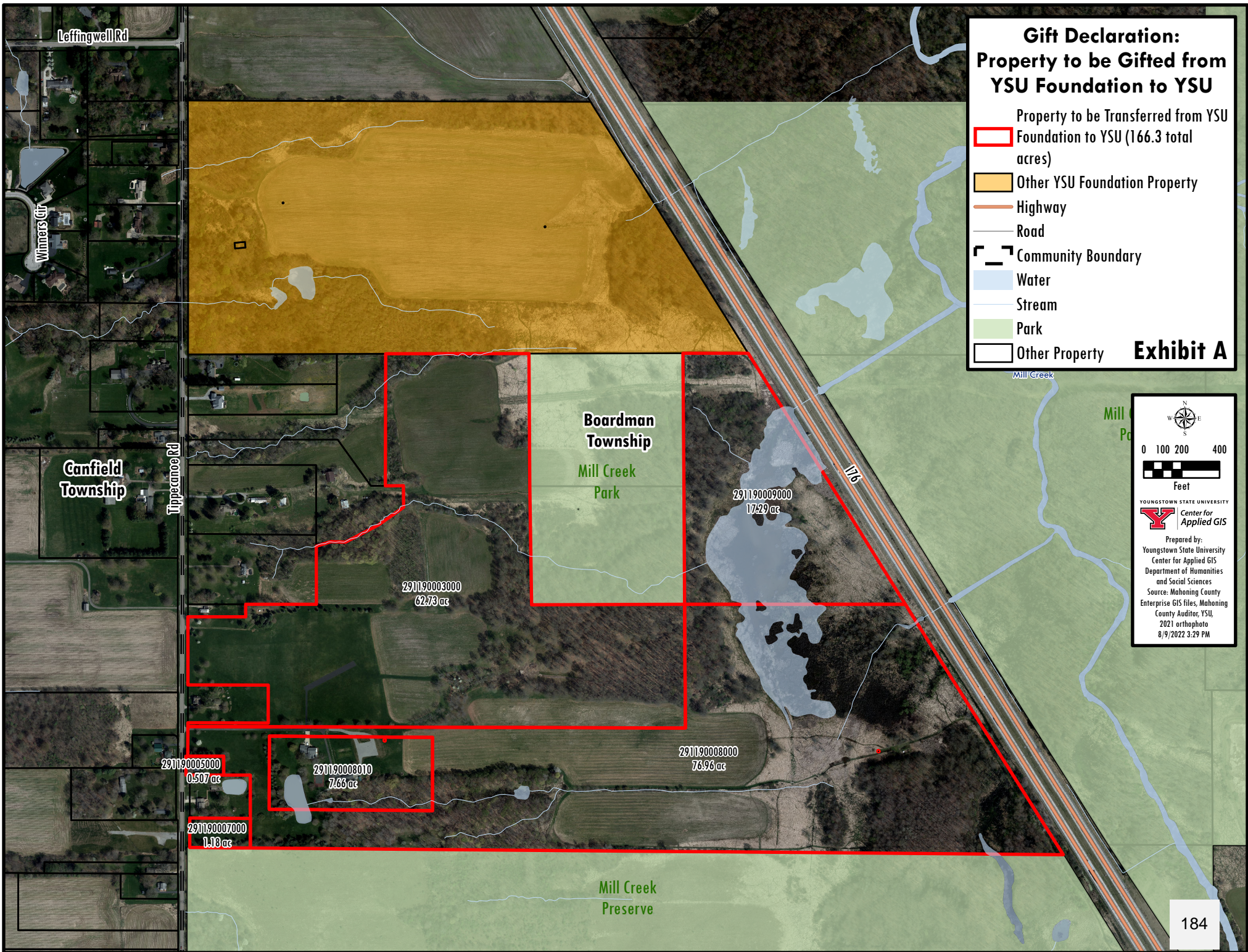
**WHEREAS**, Warren P. (“Bud”) Williamson, III established the Williamson Innovation Park Champion Fund at the YSU Foundation with a gift of Three Million Dollars (\$3,000,000.00) to fund the salary and related costs of the Williamson Innovation Park Champion, who will be the leader of educational activities at the WIP; and

**WHEREAS**, Warren P. (“Bud”) Williamson, III established the Williamson Innovation Park Property Enhancement Fund at the YSU Foundation with an initial gift of \$400,000, and an additional pledge of \$500,000 over a five-year period to be used by the University for costs associated with maintenance, upkeep and enhancement of the Real Estate; and

**WHEREAS**, the Youngstown State University Foundation seeks to gift the Real Estate to the Board of Trustees for use by the University as provided herein; and

**WHEREAS**, the President recommends that the Board of Trustees accept the gift of Real Estate from the Youngstown State University Foundation.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Trustees does hereby accept the gift of Real Estate from the Youngstown State University Foundation.



### Gift Declaration: Property to be Gifted from YSU Foundation to YSU

- Property to be Transferred from YSU Foundation to YSU (166.3 total acres)
- Other YSU Foundation Property
- Highway
- Road
- Community Boundary
- Water
- Stream
- Park
- Other Property

## Exhibit A



0 100 200 400  
Feet



YOUNGSTOWN STATE UNIVERSITY  
 Center for Applied GIS  
 Prepared by:  
 Youngstown State University  
 Center for Applied GIS  
 Department of Humanities  
 and Social Sciences  
 Source: Mahoning County  
 Enterprise GIS files, Mahoning  
 County Auditor, YSU,  
 2021 orthophoto  
 8/9/2022 3:29 PM

Leffingwell Rd  
Tippecanoe Rd

**Canfield Township**

**Boardman Township**  
Mill Creek Park

291190005000  
0.507 ac  
291190007000  
1.18 ac

291190008010  
7.66 ac

291190003000  
62.73 ac

291190008000  
76.96 ac

291190009000  
17.29 ac

Mill Creek Preserve





**RESOLUTION TO MODIFY PARTNERSHIPS, CENTERS,  
AND RELATED ARRANGEMENTS POLICY, 3356-10-22**

**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 Partnerships, Centers, and Related Arrangements policy has been reviewed 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 Partnerships, Centers, and Related Arrangements, policy number 3356-10-22, shown as Exhibit \_\_ attached hereto. A copy of the policy indicating changes to be made is also attached.

**Board of Trustees Meeting  
September 21, 2022  
YR 2023-**

**Explanation to Modify *University Policy*:**

**3356-10-22 Partnerships, centers, and related arrangements.**

This policy is being reviewed pursuant to the five-year review cycle and modified to provide guidelines on external funding of centers or institutes (CI). Proposed changes and additions provide guidance for external funding of CIs, update review cycles for new and existing CIs, and more closely align with Office of Academic Affairs administrative policy governing the review and evaluation of new and existing CIs.

**Board of Trustees Meeting  
September 21, 2022  
YR 2023-**

**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: September 2022  
Board Committee: Institutional Engagement  
**Effective Date: September 21, 2022**  
Next Review: 2027

---

- (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 to establish, alter or abolish centers or institutes to advance those goals, subject to approval by the board of trustees. In extraordinary and exceptional cases when approval is urgently needed between scheduled board meetings, the president may authorize the establishment of the partnership, program, or CI, in which case this will be reported to the board of trustees at the next meeting.
- (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 or institutes (referred to as CI/CIs) to strengthen and enrich the educational (teaching and learning), research (and scholarship), and public service activities of faculty and students.
- (C) External funding.
- (1) If funding is received from external sources that requires the naming of a center or institute, the board of trustees will be notified in reports on the compilation of CIs and in reports on external funding.
  - (2) Funding from the Youngstown state university foundation may support the establishment of a center or institute named after a donor, or it may support initiatives or programming that take place within a named center or institute. Supporting funds which are independent of the naming of a center or institute

will be subject to the same policies governing the gift that established the center or institute.

(D) 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, CIs, 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 CI and manner in which the arrangement will meet the stated need;
  - (c) Statement of the relationship between outside entity[s] and the university as outlined in the agreement;
  - (d) Identification of personnel/departments to be involved;
  - (e) Delineation of responsibilities of the university and other involved parties;
  - (f) Estimation of needs for fiscal resources, space, and equipment;
  - (g) A description of how these needs will be met;
  - (h) Work plan and budget for three years, including the sources of fiscal commitments; and
  - (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 the departments to take part in the process.
  - (a) When the proposal involves research and/or sponsored programs, the office of research services must be contacted, and review by the director of research services 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 a 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 CI, the general counsel will review the proposal.
- (5) Upon the completion of the consultative process set forth in paragraph (D)(4)(a) to (d), the provost/vice president for academic affairs may recommend the establishment of the partnership, program or CI to the board of trustees. The board of trustees will formally approve or deny the recommendation. Approval by the board of trustees is required to establish the partnership, program or CI and to authorize the commencement of related activities and programs.
- (6) Newly established CIs will be evaluated within three years with all other CIs evaluated no less frequently than six years. The provost/vice president for academic affairs or designee will report their finding to the board of trustees. The office of academic affairs

will establish an administrative policy governing the review and evaluation of new and existing CIs.

- (7) The provost/vice president for academic affairs or designee will provide an update to the board of trustees at least annually on CIs, including, as appropriate, recommendations to discontinue CIs. Reports and updates pursuant to this policy will be made to the academic excellence and student success committee and/or the institutional engagement committee of the board of trustees, as appropriate.

### 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; September 2022  
Board Committee: ~~Academic and Student Affairs~~Institutional  
Engagement  
**Effective Date:** September 7, 2017~~21, 2022~~  
Next Review: 2022~~2027~~

---

- (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 to establish, alter or abolish centers or institutes to advance those goals, subject to approval by the board of trustees, ~~establish, alter, or abolish centers, institutes, or laboratories that advance those goals.~~ In extraordinary and exceptional cases when approval is urgently needed between scheduled board meetings, the president may authorize the establishment of the partnership, program, or CI, in which case this will be reported to the board of trustees at the next meeting.
- (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, ~~or institutes, or laboratories~~ (referred to as CH/CHsCI/CIs) to strengthen and enrich the educational (teaching and learning), research (and scholarship), and public service activities of faculty and students.
- (C) External funding.
- (1) If funding is received from external sources that requires the naming of a center or institute, the board of trustees will be notified in reports on the compilation of CIs and in reports on external funding.
- (2) Funding from the Youngstown state university foundation may

support the establishment of a center or institute named after a donor, or it may support initiatives or programming that take place within a named center or institute. Supporting funds which are independent of the naming of a center or institute will be subject to the same policies governing the gift that established the center or institute.

(D) 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, ~~CHCs~~ CHCIs, 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 ~~CHC~~ CHCI and manner in which the arrangement will meet the stated need;
  - (c) Statement of the relationship between outside entity[s] and the university as outlined in the agreement;
  - (d) Identification of personnel/departments to be involved;
  - (e) Delineation of responsibilities of the university and other involved parties;
  - (f) Estimation of needs for fiscal resources, space, and equipment;
  - (g) A description of how these needs will be met;
  - (h) Work plan and budget for three years, including the sources of fiscal commitments; and
  - (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~~ the departments to take part in the process.
- (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~~ When the proposal involves research and/or sponsored programs, the office of research services must be contacted, and review by the director of research services 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 a 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 ~~CI/CI~~, the general counsel will review the proposal.
- (5) Upon the completion of ~~this~~ the consultative process set forth in paragraph (D)(4)(a) to (d), the provost/vice president for academic affairs may ~~authorize implementation~~ recommend the establishment of the partnership, or program or CI establishment of the center to the board of trustees. The board of trustees will formally approve

or deny the recommendation. Approval by the board of trustees is required to establish the partnership, program or CI and to authorize the commencement of related activities and programs.

- (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. Newly established CIs will be evaluated within three years with all other CIs evaluated no less frequently than six years. The provost/vice president for academic affairs or designee will report their finding to the board of trustees. The office of academic affairs will establish an administrative policy governing the review and evaluation of new and existing CIs.
- (7) The provost/vice president for academic affairs or designee will provide an update to the board of trustees at least annually on CIs, including, as appropriate, recommendations to discontinue CIs. Reports and updates pursuant to this policy will be made to the academic excellence and student success committee and/or the institutional engagement committee of the board of trustees, as appropriate.



**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, attached hereto.

**Board of Trustees Meeting  
September 21, 2022  
YR 2023-**

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

Responsible Division/Office: Facilities, Maintenance and Support Services  
Responsible Officer: VP for Finance and Business Operations  
Revision History: February 2012; June 2012; September 2017;  
September 2022  
Board Committee: Finance and Facilities  
**Effective Date: September 21, 2022**  
Next Review: 2027

---

- (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.

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

Responsible Division/Office: Facilities, Maintenance and Support Services  
Responsible Officer: VP for Finance and Business Operations  
Revision History: February 2012; June 2012; September 2017;  
[September 2022](#)  
Board Committee: Finance and Facilities  
**Effective Date:** **September 7, 2017**[21, 2022](#)  
Next Review: ~~2022~~[2027](#)

---

- (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, attached hereto.

**Board of Trustees Meeting  
September 21, 2022  
YR 2023-**

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

Responsible Division/Office: Facilities, Maintenance and Support Services  
Responsible Officer: VP for Finance and Business Operations  
Revision History: June 2012; September 2017; September 2022  
Board Committee: Finance and Facilities  
**Effective Date: September 21, 2022**  
Next Review: 2027

---

- (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 the 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 and 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 key control/locksmith office 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 section 3345.13 and section 3345.99 of

the Revised Code).

- (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 individual 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.

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

Responsible Division/Office: Facilities, Maintenance and Support Services  
Responsible Officer: VP for Finance and Business Operations  
Revision History: June 2012; September 2017; [September 2022](#)  
Board Committee: Finance and Facilities  
**Effective Date:** **September 7, 2017**[21, 2022](#)  
Next Review: ~~2022~~[2027](#)

---

- (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 the 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 and 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 key control/locksmith office 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 section 3345.13 and section 3345.99 of



the Revised Code).

- (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 individual 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 RELATED TO  
FY 2022 YEAR-END OPERATING PERFORMANCE**

**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; 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 from the Operating Carry-Forward Fund, as detailed in the attached Exhibit A.

**EXHIBIT A**

**YOUNGSTOWN STATE UNIVERSITY**  
**Interfund Transfers Requiring Board Approval**  
**Related to Year-End FY 2022 Operating Performance**

	<u>From</u>	<u>To</u>
Operating Carry-forward fund	\$6,455,406	
FY 2023 General Fund Budget		\$5,460,522
Academic Plant Funds:		
OAA Renewal & Replacement		\$500,000
Auxiliary Plant Funds:		
Andrews Rec Center Plant Reserve		\$191,485
Parking Services Plant Reserve		\$133,839
Kilcawley Center Plant Reserve		\$169,560
Subtotal		<u>\$494,884</u>
Total	<u>\$6,455,406</u>	<u>\$6,455,406</u>



**RESOLUTION TO APPROVE PROPOSED HOUSING AND  
COURTYARD ROOM RATES AND OTHER CHANGES**

**WHEREAS**, Ohio law provides that each Board of Trustees of state-assisted institutions of higher education may establish special purpose fees, service charges, and fines and penalties; and

**WHEREAS**, University Housing is seeking to adjust certain housing rates and charges;

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Trustees of Youngstown State University does hereby approve the proposed adjustments to rates, attached hereto.

**Board of Trustees Meeting  
September 21, 2022  
YR 2023-**

## Housing & Residence Life Proposed Rate Changes, 2023-2024

In looking ahead, Housing & Residence Life proposes the following changes for consideration:

- 1) Continuation of increase to the room & board rate for the incoming Penguin Tuition Promise cohort (\$5,192/semester and \$10,384/academic year). This rate reflects a board plan that has increased 6% per the CPI in addition to room revenue increasing by 2% from the previous year.
  - This is in response to a national fiscal climate in which operating costs have increased significantly
  - Continuation of increase to room and board rates allow us to fiscally continue to support strategic efforts that address significant maintenance and facilities-based deficiencies in our residence halls. Phase two of the Lyden bathroom renovations will occur in Summer of 2023 (\$600,000 project), we continue to replace Kilcawley House windows (\$50,000 per floor) and simultaneously save towards the complete renovation of the Lyden House elevator (estimated at \$550,000).
  
- 2) As we emerge from a pandemic mindset in which we had made efforts to de-densify our residential population by offering an increased amount of single rooms at a discounted cost, we now must strategically plan towards an increasing number of students who want to live on campus (driven significantly by the international student first-year housing requirement and scholarship). In an effort to accommodate more students, the number of singles offered into the 2023-2024 year will be drastically reduced. In addition, the single room upcharge will increase from \$750/semester to \$1,000/semester.
  
- 3) While Weller House again remains offline in the 2022-2023 academic year to be used for isolation housing, we are planning to again utilize Weller in the 2023-2024 for its intended purpose: graduate and family housing. Changes to Weller House rates structure and occupancy management include:
  - Strict occupancy management to ensure that multi-bedroom apartments are available only to students (U/G or Grad) with a child(ren). Single-bedroom apartments remain available for Graduate student reservation
  - Clear definition of Weller House academic year contract (charge per AY = 9 months (4 months in Fall and 5 months of Spring)) with the opportunity to extend into summer for 3 months at the monthly charge
  - A transition to rate structure based off of number of bedrooms versus a structure that not only considered number of bedrooms but apartment size also
    - i. One-bedroom apartment= \$6,300/AY contract or \$700/month (summer)
    - ii. Two-bedroom apartment= \$7,200/AY contract or \$800/month (summer)
    - iii. Three-bedroom apartment= \$8,100/AY contract or \$900/month (summer)

## University Courtyard Proposed Rate Changes, 2023-2024

- This is in response to a national fiscal climate in which operating costs have increased significantly.

### F22 Rates

- 1bed \$855/per month
- 2bed \$725
- 4bed \$630

### F23 Room Projected Rates

- 1bed \$880
- 2bed \$750
- 4bed \$655

YOUNGSTOWN STATE UNIVERSITY					
Housing Charges FY2024					
	AY 22-23	AY 23-24			
	FY2023	FY2024	FY2024	FY2024	FY2024
Fee Description	Actual	Proposed	\$ Change	%Change	
<b>Room &amp; Board</b> (per academic year) F2024 Cohort		\$10,384.00	NEW	NEW	
Room		\$5,968.00	NEW	NEW	
Board (12 meals plan)		\$4,416.00	NEW	NEW	
<b>Room &amp; Board</b> (per academic year) F2023 Cohort	\$10,016.00	\$10,016.00	\$0.00	0.00%	
Room	\$5,850.00	\$5,600.00	(\$250.00)	-4.27%	
Board (12 meals plan)	\$4,166.00	\$4,416.00	\$250.00	6.00%	
<b>Room &amp; Board</b> (per academic year) F2022 Cohort	\$9,775.00	\$9,775.00	\$0.00	0.00%	
Room	\$5,609.00	\$5,359.00	(\$250.00)	-4.46%	
Board (12 meals plan)	\$4,166.00	\$4,416.00	\$250.00	6.00%	
<b>Room &amp; Board</b> (per academic year) F2021 Cohort	\$9,700.00	\$9,700.00	\$0.00	0.00%	
Room	\$5,534.00	\$5,284.00	(\$250.00)	-4.52%	
Board (12 meals plan)	\$4,166.00	\$4,416.00	\$250.00	6.00%	
<b>Room &amp; Board</b> (per academic year) F2020 Cohort	\$9,700.00	\$9,700.00	\$0.00	0.00%	
Room	\$5,534.00	\$5,284.00	(\$250.00)	-4.52%	
Board (12 meals plan)	\$4,166.00	\$4,416.00	\$250.00	6.00%	
<b>Room &amp; Board</b> (per academic year) F2018 Cohort & Continuing Students	\$9,400.00	\$9,400.00	\$0.00	0.00%	
Room	\$5,234.00	\$4,984.00	(\$250.00)	-4.78%	
Board (12 or 8 meal plans)	\$4,166.00	\$4,416.00	\$250.00	6.00%	
<b>Residence Hall Application Fee</b> (academic year and/or summer)	\$35.00	\$35.00	\$0.00	0.00%	
<b>Residence Hall Pre-Payment</b> (must be paid before room selection/assignment occurs and is ultimately deducted from bill)	\$250.00	\$250.00	\$0.00	0.00%	
<b>Single Room Upcharge</b> (per semester)	\$750.00	\$1,000.00	\$250.00	33.33%	
<b>Weller House One-Bedroom Apartment (small)</b> academic year, room only	\$150.00/week, \$600.00/month	\$6,300.00/Ay or \$700.00/month (summer)	\$100.00	1.66%	
<b>Weller House One-Bedroom Apartment (large)</b> academic year, room only	\$165.00/week, \$650.00/month	\$6,300.00/Ay or \$700.00/month (summer)	\$50.00	0.07%	
<b>Weller House Two-Bedroom Apartment (small)</b> academic year, room only	\$190.00/week, \$750.00/month	\$7,200.00/Ay or \$800.00/month (summer)	\$50.00	1.06%	
<b>Weller House Two-Bedroom Apartment (large)</b> academic year, room only	\$200.00/week, \$800.00/month	\$7,200.00/Ay or \$800.00/month (summer)	\$0.00	0.00%	
<b>Weller House Three-Bedroom Apartment</b> (academic year, room only)	\$225.00/week, \$900.00/month	\$8,100.00/Ay or \$900.00/month (summer)	\$0.00	0.00%	
<b>*Multi-bedroom apartments are available only to students (U/G or Grad) with a child(ren). Single-bedroom apartments available for Graduate student reservation.</b>					
<b>*Academic year contract (charge per AY = 9 months (4 months in Fall and 5 months of Spring). Opportunity to extend into summer for 3 months at the monthly charge.</b>					
<b>Expanded Housing Rate</b> (overoccupied rooms)	\$4,100.00	\$4,850.00	\$750.00	1.82%	
<b>Student Housing Outside of Contracted Period</b>					
Nightly room rate (no meals)	\$27.00	\$27.00	\$0.00	0.00%	
Flat fee room rate for winter break (no meals)	\$250.00	\$250.00	\$0.00	0.00%	
<b>Cancellation Fee</b>					
Before May 13 (academic year) or December 16 (spring only)	\$0.00	\$0.00	\$0.00	0.00%	
After May 13 (academic year) or December 16 (spring only)	\$250.00	\$250.00	\$0.00	0.00%	
<b>Summer</b>					
Room and Board (meals included)	Summer 2022 \$2,416.00 per 7-week term	Summer 2023 \$2,416.00 per 7-week term	\$0.00	0.00%	
Weller House (prorated for current tenants, monthly, no meals)	See monthly Weller rates above	See monthly Weller rates above	\$0.00	0.00%	
<b>Summer Event Rates</b>					
Rooms with community bathrooms (Lyden, Cafaro, Kilcawley)	\$40.00/night, per room	\$40.00/night, per room	\$0.00	0.00%	
Rooms with private or semi-private bathrooms (Cafaro, Wick)	\$60.00/night, per room	\$60.00/night, per room	\$0.00	0.00%	
Apartment-style housing (Weller- as available)	see attached	see attached	\$0.00	0.00%	

Linens (for rental by summer event groups only)	\$25.00	\$25.00	\$0.00	0.00%
Bed Adjustment Fee	\$10.00	\$10.00	\$0.00	0.00%
Additional Staffing Fee (for groups with minors, or at request of group)	\$120.00/night/desk	\$120.00/night/desk	\$0.00	0.00%
Late Check-In or Check-Out Fee (price per hour beyond pre-arranged check-in or check-out time)	\$50.00/hour	\$50.00/hour	\$0.00	0.00%
<b>Short Term Housing Rates</b>				
Weekly housing cost (Wick House)	\$250.00	\$250.00	\$0.00	0.00%
Monthly housing cost (Wick House)	\$900.00	\$900.00	\$0.00	0.00%
50-Block (50 meals declining balance + \$125 Flex)	\$610.00	\$610.00	\$0.00	0.00%
30-Block (30 meals declining balance + \$150 Flex)	\$470.00	\$470.00	\$0.00	0.00%
Sampler Plan (5 meals + \$100 flex + 10 cups Dunkin' coffee)	\$155.00	\$155.00	\$0.00	0.00%
<b>*Must participate in meal plan if staying longer than one week</b>				
<b>University Courtyard Rates ( Per Month)</b>				
1 Bed	\$855.00	\$880.00	\$25.00	2.92%
2 Bed	\$725.00	\$750.00	\$25.00	3.45%
4 Bed	\$630.00	\$655.00	\$25.00	3.97%



<b>H&amp;RL Damage Billing Charge List</b>	
<b>Beds</b>	
Bed (replacement cost)	\$240.00
Loft kits (replacement cost)	\$180.00
Rebunk beds	\$10.00 per person
Mattress (replacement cost)	\$180.00
<b>Carpet</b>	
Clean Stain (Cleaning contractor)	\$35.00
Room clean (Steam Action)	\$75.00
<b>Ceiling</b>	
Plastic light cover	\$20.00
2'x2' tile	\$20.00
4'x2' tile	\$20.00
1'x1' tile	\$10.00
Paint ceiling (Lyden/Cafaro House 4th floor rooms)	\$65.00
<b>Closets/Wardrobes</b>	
Door Repair (chips)	\$20.00
Door Replacement	\$50.00
Shelf Replacement	\$20.00
Closet handle	\$10.00
Mirror	\$15.00
Towel rack	\$20.00
<b>Desks</b>	
Recover desk chair	\$90.00
Desk chair (replacement cost)	\$150.00
Desk top	\$35.00
<b>Walls</b>	
Baseboard damage	\$5.00 per foot
Small hole (ie nail hole, tack hole)	\$3.00 per hole
Paint 1 wall	\$50.00
Paint room	\$200.00
Patch Hole	\$65.00
Cable jack	\$10.00
Utility Cover	\$10.00
<b>Doors</b>	
Adhesive Removal	\$2.00 per sticker
Door stop	\$20.00
Lost keys	\$55.00
Number plate (replacement cost)	\$30.00
Refinish	\$50.00 per side
Peep holes	\$10.00
Door knob (replacement cost)	\$20.00
Door Frame (paint)	\$35.00
Door (replacement cost)	\$250.00
<b>Windows</b>	
Broken window	\$75.00
Broken lock (replacement cost)	\$10.00
Repair Screen	\$15.00
Replace Screen	\$40.00
Replace Security Screen	\$125.00
Repair blinds (Lyden House)	\$25.00
Replace blinds (Lyden House)	\$65.00
Replace blind slat (Lyden House)	\$5.00
<b>Restrooms</b>	
Faucet aerators	\$5.00
Intentional clogging(includes cleaning fee)	\$60.00
Mirror	\$100.00
Paper towel dispenser (replacement cost)	\$50.00
Shower curtains	\$10.00

Soap Dispenser	\$25.00
Toilet tissue dispenser	\$25.00
Wastebasket	\$30.00
Stall doors	\$100.00
<b>Emergency Equipment</b>	
Fire alarm indicator	\$100.00
Refill/Replace 5lb CO2 Extinguisher	\$130.00
Refill/Replace Water pressure	\$80.00
Refill/Replace 10lb Dry Extinguisher	\$60.00
Smoke Sensor Damage (replacement cost)	\$180.00
Smoke Detector	\$100.00
Fire bubble	\$50.00
<b>Heater/Air Conditioning Units</b>	
Unit Switch	\$60.00
Radiator Cover Damage	\$40.00
<b>Common Areas</b>	
Wall lights	\$100.00
Round lights	\$100.00
Chrome defusers	\$85.00
Broken window	\$200.00
Large bulletin board	\$100.00
Ceiling light (2'x2')	\$125.00
Coffee Table (replacement cost)	\$260.00
Lobby Chair (replacement cost)	\$400.00
Lobby Chair (recover)	\$300.00
Lobby Couch (replacement cost)	\$800.00
Lobby Couch (recover)	\$600.00
Tables (repair)	\$35.00
Exit Sign (replacement cost)	\$100.00
Recover pool table	\$250.00
Trash can (replacement cost)	\$100.00
<b>Miscellaneous</b>	
Room Clean	\$50.00
Improper Checkout	\$35.00
Packing up room (includes Improper checkout)	\$60.00
Clean up vomit	\$65.00
Room waste basket	\$10.00
Mailbox key replacement	\$5.00
Replace vacuum	\$100.00
Toilet seat	\$25.00
Water fountain (replacement cost)	\$360.00
Pool Stick	\$15.00
Ping pong paddle	\$5.00
Motion sensors	\$75.00
Labor rate	\$20.00 per hour

**RESOLUTION TO AMEND  
THE *BYLAWS OF THE*  
*BOARD OF TRUSTEES OF YOUNGSTOWN STATE UNIVERSITY***

**WHEREAS**, the Board of Trustees of Youngstown State University is a self-governing body established under Chapter 3356 of the *Ohio Revised Code*; and

**WHEREAS**, the Board of Trustees has adopted *Bylaws of the Board of Trustees of Youngstown State University* (the “*Bylaws*”) regarding its governance and policies regarding its procedures; and

**WHEREAS**, a motion was made and seconded at the June 22, 2022 meeting of the Governance Committee to amend the Bylaws that pertain to the definition of a Quorum for Board Committees, and

**WHEREAS**, the motion was to adjust the quorum for Board Committees from six to five, and

**WHEREAS**, this is the second reading of a proposed adjustment to the Bylaws

**NOW, THEREFORE, BE IT RESOLVED**, effective immediately, that the Board of Trustees of Youngstown State University does hereby amend its *Bylaws* and that (D) article IV Board committees item (4) Quorum and Conduct of committee meetings, the first sentence, shall now be, "Five members of a standing committee shall constitute a quorum, unless otherwise provided."



**RESOLUTION TO APPROVE  
ELECTRONIC ATTENDANCE OF BOARD OF TRUSTEES' MEETINGS  
POLICY, 3356-1-13**

**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 approve the creation of a University Policy governing Electronic Attendance of Board of Trustees' Meetings policy number 3356-1-13, attached hereto.

**Board of Trustees Meeting  
September 21, 2022  
YR 2023-**

**3356-1-13 Electronic attendance of board of trustees' meetings.**

**NEW**

Responsible Division/Office: Office of the President  
Responsible Officer: President  
Board Committee: University Affairs  
**Effective Date: September 21, 2022**  
Next Review: 2027

---

- (A) Policy statement. It is the policy of the Youngstown state university board of trustees to allow its members to attend meetings of the board via means of electronic communication in accordance with section 3345.82 of the Revised Code.
- (B) Definitions.
- (1) "Board meeting" – a regular, special or emergency meeting of the board of trustees as set forth in the board of trustees' bylaws. See 3356-1-01(B), Art. II Meetings.
  - (2) "Committee meeting" – a meeting held by any of the board standing committees, including subcommittee meetings of the standing committees, and ad hoc committees appointed from time to time.
  - (3) "Electronic communication" - means live, audio-enabled communication, as further defined in division (A) of section 3345.82 of the Revised Code, which permits trustees to attend board meetings remotely.
- (C) Electronic meeting attendance.
- (1) Trustees may attend board meetings via electronic communication, subject to the following requirements:
    - (a) A trustee shall attend in person at least one-half of the regular meetings of the board annually; and
    - (b) All meetings conducted using electronic communication shall meet the following minimum standards:

- (i) At least one-third of the trustees attending the meeting shall be present in person at the place where the meeting is conducted;
  - (ii) All votes taken at the meeting shall be taken by roll call vote; and
  - (iii) A trustee who intends to attend a meeting via means of electronic communication must notify the chair of that intent not less than forty-eight hours before the meeting, except in the case of a declared emergency.
- (2) A trustee who attends a board meeting via means of electronic communication will be considered to be present at the meeting, will be counted for purposes of establishing a quorum, and may vote at the meeting, consistent with the authority of division (C) of section 3345.82 of the Revised Code.
- (3) Electronic meeting attendance is also available for committee meetings. The same minimum standards set forth in paragraph (C)(1)(b)(i) to (iii) apply to committee meetings.



**RESOLUTION TO MODIFY  
OUTSIDE CONSULTING/EMPLOYMENT SERVICES – FACULTY  
POLICY, 3356-7-18**

**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 Outside Consulting/Employment Services – Faculty policy has been 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 Outside Consulting/Employment Services – Faculty, policy number 3356-7-18, attached hereto.

**Board of Trustees Meeting  
September 21, 2022  
YR 2023-**

**3356-7-18      Outside consulting/employment services – faculty.**

Responsible Division/Office:    Legal Affairs/Human Resources; Office of  
Academic Affairs

Responsible Officers:            VP for Legal Affairs and Human Resources;  
Provost/VP for Academic Affairs

Revision History:                April 1999; December 2013; December 2019;  
September 2022

Board Committee:                University Affairs

**Effective Date:**                **September 21, 2022**

Next Review:                      2027

---

- (A)    Policy statement. The university supports faculty participation in activities in the government, industry, and other private institutions that generally serve the academic interest of the university. Students, the university, and the state of Ohio generally benefit from experiences faculty bring to the classroom and the recognition that such experiences bring to the faculty and university. Therefore, faculty may provide professional consulting services to entities or individuals outside the university and receive compensation for such services as long as the services do not create a conflict of commitment with the performance of their university duties, compete with the interests and work of the university, or violate any university policy or state or federal statute or applicable research or grant-funding guidelines.
  
- (B)    Purpose. The purpose of this policy is to establish guidelines under which faculty may engage in outside paid consulting services and the reporting requirements which arise when faculty engage in such services outside of their university duties and in their areas of general professional expertise.
  
- (C)    Scope. This policy applies to all full-time faculty who perform the duties of an educator, instructor, or professor and whose primary position does not involve the performance of or authority to perform administrative or supervisory functions. This policy does not apply to external professional activities that are expected of faculty in their professional roles, such as work on peer review panels and advisory bodies for other universities or publishers. This policy does not apply to employees covered by university policy, rule 3356-7-34 of the Administrative Code, “Outside consulting services/employment – full-time university employees.”



- (D) Definition. In general, “consulting” is defined as professional activity related to the person’s field or discipline, where a fee-for-service or equivalent relationship with a third party exists.
- (E) Parameters.
- (1) Ohio ethics laws and related statutes.
    - (a) The prohibitions contained in Ohio ethics law in divisions (D) and (E) of section 102.03 of the Revised Code do not apply to faculty who are educators and whose position does not involve administrative or supervisory functions. Divisions (D) and (E) prohibit employees from soliciting, accepting, or using their position to secure anything of value if the thing of value is of such a character as to have a substantial and improper influence upon the employee with respect to their duties.
    - (b) Sections 102.04 and 2921.43 of the Revised Code prohibit all faculty, regardless of whether they perform administrative or supervisory duties, from receiving payment from a third party for the performance of their official duties.
    - (c) Section 2921.42 of the Revised Code prohibits all faculty from having an unlawful interest in a public contract (i.e., authorizing or influencing the university to enter into a contract that benefits the employee, family, or business associates, or simply benefitting from a contract with the university unless the exceptions in division (C) of section 2921.42 of the Revised Code are met.
  - (2) Faculty providing consulting services should also refer to rules 3356-7-01, “Conflicts of interest and conflicts of commitment”; 3356-5-12, “Licensing of university names and marks”; and 3356-4-19, “Use of university equipment” of the Administrative Code.
  - (3) Generally, the proportion of a faculty member’s professional effort devoted to consulting should not exceed one business day per

week. Acceptance of a faculty appointment at the university requires that the faculty member make a commitment to the university consistent with the faculty appointment and academic rank. Outside consulting should not conflict with the overriding commitment made to the university. Outside activities that should not interfere with the faculty members' commitment to the university include, but are not limited to, other public or private employment, consulting, teaching, research, or memberships on corporate boards.

- (4) University facilities, supplies, equipment, and resources, including letterhead (collectively referred to as "resources") may not be utilized when providing consulting services without appropriate compensation and prior written approval of the vice president for finance and business operations and the provost. Faculty shall not use the university name or the fact that they are affiliated with the university in a manner that suggests that the university approves the product or service that is the subject of the consulting or that would suggest university involvement or approval of the consulting activity, purpose or findings.
  - (5) Under Ohio law, the university owns any intellectual property that results from research or investigation conducted by employees within the scope of their employment or with funding, equipment, or infrastructure provided by or through the university. Approval for the use of university resources does not negate the university's rights to and interest in discoveries, inventions, or patents pursuant to Ohio law.
  - (6) Consulting services may not be offered for activities provided by the university as part of its operations unless otherwise approved in consultation with the provost. Faculty may not enter into consulting arrangements that compete with the interests and work of the university.
- (F) Procedures.
- (1) Faculty shall annually complete the outside consulting/employment disclosure form ("form"), regardless of whether or not they engage in outside consulting/employment.

- (2) Faculty shall submit the completed form to their chairperson for approval/disapproval at least thirty days prior to the commencement of the consulting/employment services. The chair shall complete their review and forward the form to the office of human resources.
  - (3) The office of human resources will forward a copy of the completed form to the signatories and will also provide copies of the form to the office of research services in order to assist with conflict checks in that office. The office of human resources will maintain the forms and information in accordance with university retention schedules.
  - (4) The form must be completed on an annual basis for each new and ongoing employment or consulting arrangement. Faculty are under a continuing duty to update the form when circumstances change.
- (G) Policy violations.
- (1) Faculty are responsible for any damages or claims for damages which may arise in connection with their outside consulting activities. The limited immunity conferred by section 9.86 of the Revised Code does not apply to consulting activities.
  - (2) Failure to adhere to this policy, including but not limited to failure to properly report outside consulting services/employment may result in corrective action/discipline up to and including termination.

**3356-7-18      Outside consulting/employment services – faculty.**

Responsible Division/Office:    Legal Affairs/Human Resources; Office of Academic Affairs

Responsible Officers:            VP for Legal Affairs and Human Resources; Provost/VP for Academic Affairs

Revision History:                April 1999; December 2013; December 2019; [September 2022](#)

Board Committee:                University Affairs

**Effective Date:**                ~~December 5, 2019~~ [September 21, 2022](#)

Next Review:                      ~~2024~~ [2027](#)

---

- (A) Policy statement. The university supports faculty participation in activities in the government, industry, and other private institutions that generally serve the academic interest of the university. Students, the university, and the state of Ohio generally benefit from experiences faculty bring to the classroom and the recognition that such experiences bring to the faculty and university. Therefore, faculty may provide professional consulting services to entities or individuals outside the university and receive compensation for such services as long as the services do not create a conflict of commitment with the performance of their university duties, compete with the interests and work of the university, or violate any university policy or state or federal statute or applicable research or grant-funding guidelines.
- (B) Purpose. The purpose of this policy is to establish guidelines under which faculty may engage in outside paid consulting services and the reporting requirements which arise when faculty engage in such services outside of their university duties and in their areas of general professional expertise. ~~This policy does not apply to external professional activities that are expected of faculty in their professional roles, such as work on peer review panels and advisory bodies for other universities or publishers.~~
- (C) Scope. This policy applies to all full-time faculty who perform the duties of an educator, instructor, or professor and whose primary position does not involve the performance of or authority to perform administrative or supervisory functions. [This policy does not apply to external professional activities that are expected of faculty in their professional roles, such as work on peer review panels and advisory bodies for other universities or](#)

publishers. This policy does not apply to employees covered by university policy, rule 3356-7-34 of the Administrative Code, “Outside consulting services/employment – full-time university employees.”

(D) Definition. In general, “consulting” is defined as professional activity related to the person’s field or discipline, where a fee-for-service or equivalent relationship with a third party exists.

(E) Parameters.

(1) ~~Faculty providing consulting services should also refer to rules 3356-7-01, “Conflicts of interest and conflicts of commitment”; 3356-5-12, “Licensing of university names and marks”; and 3356-4-19, “Use of university equipment” of the Administrative Code.~~

~~(2)~~ Ohio ethics laws and related statutes.

(a) The prohibitions contained in Ohio ethics law in divisions (D) and (E) of section 102.03 of the Revised Code do not apply to faculty who are educators and whose position does not involve administrative or supervisory functions. ~~\_\_\_\_\_~~

~~(a)~~ ~~Divisions (D) and (E) of section 102.03 of the Revised Code~~ prohibit employees from soliciting, accepting, or using their position to secure anything of value if the thing of value is of such a character as to have a substantial and improper influence upon the employee with respect to their duties. ~~These specific sections do not apply to the faculty.~~

(b) ~~However, sections~~ Sections 102.04 and 2921.43 of the Revised Code prohibit all faculty, regardless of whether they perform administrative or supervisory duties, from receiving payment from a third party for the performance of their official duties.

(c) ~~Also, section~~ Section 2921.42 of the Revised Code prohibits all faculty from having an unlawful interest in a public contract (i.e., authorizing or influencing the university to enter into a contract that benefits the employee, family, or business associates, or simply benefitting from a contract with the university unless the

exceptions in division (C) of section 2921.42 of the Revised Code are met).

- (2) [Faculty providing consulting services should also refer to rules 3356-7-01, “Conflicts of interest and conflicts of commitment”; 3356-5-12, “Licensing of university names and marks”; and 3356-4-19, “Use of university equipment” of the Administrative Code.](#)
- (3) Generally, the proportion of a faculty member’s professional effort devoted to consulting should not exceed one business day per week. Acceptance of a faculty appointment at the university requires that the faculty member make a commitment to the university consistent with the faculty appointment and academic rank. Outside consulting should not conflict with the overriding commitment made to the university. Outside activities that should not interfere with the faculty members’ commitment to the university include, but are not limited to, other public or private employment, consulting, teaching, research, or memberships on corporate boards.
- (4) University facilities, supplies, equipment, and resources, including letterhead (collectively referred to as “resources”) may not be utilized when providing consulting services without appropriate compensation and prior written approval of the vice president for finance and ~~administration~~[business operations](#) and the provost. Faculty shall not use the university name or the fact that they are affiliated with the university in a manner that suggests that the university approves the product or service that is the subject of the consulting or that would suggest university involvement or approval of the consulting activity, purpose or findings.
- (5) Under Ohio law, the university owns any intellectual property that results from research or investigation conducted by employees within the scope of their employment or with funding, equipment, or infrastructure provided by or through the university. Approval for the use of university resources does not negate the university’s rights to and interest in discoveries, inventions, or patents pursuant to Ohio law.

- (6) Consulting services may not be offered for activities provided by the university as part of its operations unless otherwise approved in consultation with the provost. Faculty may not enter into consulting arrangements that compete with the interests and work of the university.

(F) Procedures.

- (1) Faculty shall annually complete the outside consulting/  
-employment disclosure form (“form”), regardless of whether or not they engage in outside consulting/employment.
- (2) The Faculty shall submit the completed form ~~shall be submitted to~~ their chairperson for approval/disapproval at least thirty days prior to the commencement of ~~any~~ the consulting/employment activity services. The chair shall complete their review and forward the form to the office of human resources.
- ~~(2) — The faculty shall submit the form to the chair for review and approval/disapproval. The request will be forwarded to the dean and then to the provost/designee for review and approval/disapproval. Final approval is within the discretion of the provost/designee.~~
- (3) ~~The completed form will be forwarded to the office of human resources.~~ The office of human resources will forward a copy of the completed form to the signatories: and
- ~~(4) — The office of human resources~~ will also provide copies of the form to the office of research services in order to assist with conflict checks in that office. ~~Otherwise, the~~ The office of human resources will maintain the forms and information in accordance with university retention schedules.
- ~~(5)~~(4) The form must be completed on an annual basis for each new and ongoing employment or consulting arrangement. Faculty are under a continuing duty to update the form when circumstances change.

(G) Policy violations.

- (1) Faculty are responsible for any damages or claims for damages which may arise in connection with their outside consulting activities. The limited immunity conferred by section 9.86 of the Revised Code does not apply to consulting activities.
- (2) Failure to adhere to this policy, including but not limited to failure to properly report outside consulting services/employment may result in corrective action/discipline up to and including termination.





**RESOLUTION TO MODIFY  
OUTSIDE CONSULTING SERVICES/EMPLOYMENT BY FULL-TIME  
UNIVERSITY EMPLOYEES POLICY, 3356-7-34**

**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 Outside Consulting Services/Employment by Full-Time University Employees policy has been 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 Outside Consulting Services/Employment by Full-Time University Employees, policy number 3356-7-34, attached hereto.

**Board of Trustees Meeting  
September 21, 2022  
YR 2023-**



- (1) All employees subject to this policy are covered by Ohio ethics laws in Chapters 102. (ethics) and 2921. (offenses against justice and public administration) of the Revised Code.
- (2) Employees providing consulting services should also refer to the university policies and rules 3356-7-01, “Conflicts of interest and conflicts of commitment,” 3356-5-12, “Licensing of university names and marks,” and 3356-4-19, “Use of university equipment” of the Administrative Code.
- (3) Outside consulting services/employment is generally allowed unless it interferes with an employee’s university duties or presents a conflict of interest regarding these duties. A conflict of interest typically exists when financial, professional, or other personal considerations directly or indirectly affect or benefit, or have the appearance of affecting or benefiting, an employee or the employee’s family or business associates. (See rule 3356-7-01, “Conflicts of interest and conflicts of commitment” of the Administrative Code.)
- (4) Failure to adequately perform university responsibilities due to involvement in outside consulting/employment is considered neglect of duty and may result in corrective action up to and including termination, regardless of whether the activity has been reported or approved.
- (5) Any outside consulting services/employment should be performed outside of an employee’s regular work schedule. When this is not possible, the employee must use accrued vacation or personal leave, provided such leave is approved in advance.
- (6) University facilities, supplies, equipment, and resources, including letterhead, the university name and logo (collectively referred to as “resources”) may not be utilized when providing consulting services/employment without the prior written approval of the vice president for finance and business operations and the provost or appropriate vice president and appropriate compensation for the use. Approval for the use of university resources does not negate the university’s rights to and interest in discoveries, inventions, or patents pursuant to Ohio law.

- (7) An employee may not use their affiliation with the university in a manner that suggests university approval of or involvement with the service/employment or any product, activity, purpose or findings of the service or work.
- (F) Procedures.
- (1) All full-time employees engaged in outside consulting/employment shall annually complete the outside consulting/employment disclosure form (“form”), regardless of whether or not they engage in outside consulting/employment.
  - (2) Employees shall submit completed form to their immediate supervisor for approval/disapproval at least thirty days prior to the commencement of the consulting/employment services. The supervisor shall complete their review and forward the completed form to the office of human resources.
  - (3) Prior approval may be rescinded at any time if the outside consulting/employment interferes with an employee’s university duties or presents a conflict of interest regarding these duties.
  - (4) The office of human resources will forward a copy of the completed form, whether approved or disapproved, via university email to all signatories. The office of human resources will also forward a copy to the office of research services. The office of human resources will maintain the forms and information in accordance with university retention schedules.
  - (5) All employees are under a continuing duty to update the form when circumstances change.
- (G) Policy violations. Failure to adhere to this policy, including but not limited to failure to properly report outside consulting services/employment, may result in corrective action/discipline up to and including termination.

**3356-7-34 Outside consulting services/employment by full-time university employees.**

Responsible Division/Office: Legal Affairs and Human Resources  
Responsible Officer: VP for Legal Affairs and Human Resources  
Revision History: April 1999; December 2013; September 2019;  
December 2019; [September 2022](#)  
Board Committee: University Affairs  
**Effective Date:** ~~December 5, 2019~~ [September 21, 2022](#)  
Next Review: ~~2024~~ [2027](#)

---

- (A) Policy statement. Youngstown state university (“university”) employees are responsible for meeting the expectations and responsibilities of their positions with the university. At the same time, the university recognizes that employees, the university, and the community can benefit from employee involvement in and support of outside organizations and industry. Employees may engage in outside consulting services/employment provided that the consulting services/employment does not interfere with the performance of their university responsibilities and/or job performance, create a conflict of interest, or violate any university policy or state or federal statute.
- (B) Purpose. To establish guidelines which allow employees to engage in outside consulting/employment activities while continuing to fulfill their work responsibilities and commitment to the university.
- (C) Scope. This policy applies to all full-time university employees, i.e., professional/administrative staff, deans and chairpersons, classified staff, and all faculty with administrative/supervisory duties. This policy does not apply to faculty covered by rule 3356-7-18 of the Administrative Code, “Outside consulting/employment services – full-time faculty.”
- (D) Definition. In general, “outside consulting services or employment” is defined as professional activity related to a person’s field or discipline, where a fee-for-service or equivalent relationship with a third party exists.
- (E) Parameters.

- (1) All employees subject to this policy are covered by Ohio ethics laws in Chapters 102. (ethics) and 2921. (offenses against justice and public administration) of the Revised Code.
- (2) Employees providing consulting services should also refer to the university policies and rules 3356-7-01, “Conflicts of interest and conflicts of commitment,” 3356-5-12, “Licensing of university names and marks,” and 3356-4-19, “Use of university equipment” of the Administrative Code.
- (3) Outside consulting services/employment is generally allowed unless it interferes with an employee’s university duties or presents a conflict of interest regarding these duties. A conflict of interest typically exists when financial, professional, or other personal considerations directly or indirectly affect or benefit, or have the appearance of affecting or benefiting, an employee or the employee’s family or business associates. (See rule 3356-7-01, “Conflicts of interest and conflicts of commitment” of the Administrative Code.)
- (4) Failure to adequately perform university responsibilities due to involvement in outside consulting/employment is considered neglect of duty and may result in corrective action up to and including termination, regardless of whether the activity has been reported or approved.
- (5) Any outside consulting services/employment should be performed outside of an employee’s regular work schedule. When this is not possible, the employee must use accrued vacation or personal leave, provided such leave is approved in advance.
- (6) University facilities, supplies, equipment, and resources, including letterhead, the university name and logo (collectively referred to as “resources”) may not be utilized when providing consulting services/employment without the prior written approval of the vice president for finance and business operations and the provost or appropriate vice president and appropriate compensation for the use. Approval for the use of university resources does not negate the university’s rights to and interest in discoveries, inventions, or patents pursuant to Ohio law.

- (7) An employee may not use their affiliation with the university in a manner that suggests university approval of or involvement with the service/employment or any product, activity, purpose or findings of the service or work.

(F) Procedures.

- (1) All full-time employees engaged in outside consulting/employment shall annually complete the ~~human resources~~ outside consulting/employment disclosure form (~~“form”~~), ~~regardless of whether or not they engage in outside consulting/employment.~~

- (2) ~~The~~ Employees shall submit completed form ~~should be submitted~~ to ~~the employee’s~~ ~~their~~ immediate supervisor ~~for~~ ~~approval/disapproval~~ at least thirty days prior to the ~~time~~ ~~when commencement of the~~ consulting/~~employment~~ services ~~are expected to begin.~~

- (2) ~~If the~~ ~~The~~ supervisor ~~shall complete their review and supports the request, the request is forwarded to the next level. This process continues until the request (with endorsements) is received by the provost or appropriate vice president. Final approval is within the discretion of the appropriate vice president/provost.~~

- (3) ~~The~~ ~~forward the~~ completed form ~~shall be forwarded~~ to the office of human resources ~~where it is retained in accordance with university retention schedules.~~

(3) \_\_\_\_\_

- (4) ~~Prior approval may be rescinded at any time if the outside consulting/employment interferes with an employee’s university duties or presents a conflict of interest regarding these duties.~~

- (5)(4) The office of human resources will forward a copy of the completed form, whether approved or disapproved, via university email to all signatories. The office of human resources will also forward a copy to the office of research ~~services~~. ~~Otherwise,~~ ~~the~~ ~~The~~ office of human resources will maintain the forms and information in accordance with university retention schedules.

- | ~~(6)~~(5) All employees are under a continuing duty to update the form when circumstances change.
- (G) Policy violations. Failure to adhere to this policy, including but not limited to failure to properly report outside consulting services/employment, may result in corrective action/discipline up to and including termination.





**RESOLUTION TO MODIFY  
PUBLIC RECORDS POLICY, 3356-9-07**

**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 Public Records 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 Public Records, policy number 3356-9-07, attached hereto.

**Board of Trustees Meeting  
September 21, 2022  
YR 2023-**

**3356-9-07 Public records.**

Responsible Division/Office: Office of General Counsel  
Responsible Officer: VP for Legal Affairs and Human Resources  
Revision History: November 2007; March 2011; March 2017;  
September 2022  
Board Committee: University Affairs  
**Effective Date: September 21, 2022**  
Next Review: 2027

---

- (A) Policy statement. It is the policy of the university that openness leads to a better informed citizenry, which leads to better government and better public policy. In accordance with this policy, the university strictly adheres to the state’s public records act (see section 149.43 of the Revised Code).
- (B) Purpose. To define the procedures that the university will follow in administering the public records law.
- (C) Definition. A “public record” is defined as any document, device or item, regardless of physical form or characteristic, including paper, electronic (including but not limited to e-mail), or other format, that is created or received by or comes under the jurisdiction of a public office that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office. All records of the university are public unless they are specifically exempt from disclosure under section 149.43 of the Revised Code.
- (D) Procedures.
  - (1) It is the policy of the university that, as required by Ohio law, records will be organized and maintained so that they are readily available for inspection and copying. Record retention schedules are to be updated regularly and posted prominently.
  - (2) Each request for public records should be evaluated for a response using the following guidelines:

- (a) Although no specific language is required to make a request, the requester must at least identify the records requested with sufficient clarity to allow the public office to identify, retrieve, and review the records. If it is not clear what records are being sought, the records custodian must contact the requester for clarification.
- (b) The requester does not have to put a records request in writing and does not have to provide their identity or the intended use of the requested public record.
- (c) Public records are to be available for inspection during regular business hours, with the exception of published holidays. Public records must be made available for inspection promptly. Copies of public records must be made available within a reasonable period of time.

“Prompt” and “reasonable” take into account the volume of records requested, the proximity of the location where the records are stored, and the necessity for any legal review of the records requested.

- (d) Public records requests should be directed to the “Office of the General Counsel, Tod Hall, Suite 314, Youngstown State University, One University Plaza, Youngstown, Ohio 44555,” or call (330) 941-2340.

“Routine requests” are those that certain departments receive on a consistent basis and that request basic information. These routine requests do not need to go to the office of the general counsel but may be processed by the office that retains the information after having first discussed the process with the office of the general counsel. “Non-routine requests,” or requests that produce voluminous documents, must be processed through the general counsel’s office.

- (e) Routine requests for information that are easily accessed will be processed as quickly as is reasonable. Non-routine or voluminous requests that require extensive copying or

research will be accompanied by an acknowledgment including:

- (i) An estimated number of business days it will take to satisfy the request.
  - (ii) An estimated cost, if copies are requested.
  - (iii) Any items within the request that may be exempt from disclosure, if known at the time of the acknowledgment.
- (f) Any denial of public records requested must include an explanation, including legal authority. If portions of a record are public and portions are exempt, the exempt portions are to be redacted and the rest released. If there are redactions, each redaction must be accompanied by a supporting explanation, including legal authority.
- (g) Those seeking public records will be charged only the actual cost of making copies. The university is permitted to request payment in advance.
- (i) The charge for paper copies is five cents per page.
  - (ii) The charge for downloaded computer files to a compact disc is one dollar per disc.
  - (iii) There is no charge for documents e-mailed.
  - (iv) Requesters may ask that documents be mailed to them. They will be charged the actual cost of the postage and mailing supplies.
- (h) Documents in electronic mail format are records as defined in section 149.43 of the Revised Code when their content relates to the business of the office. E-mail is to be treated in the same fashion as records in other formats and should follow the same retention schedules.

Records in private e-mail accounts used to conduct public business are subject to disclosure and all employees or representatives of the university are instructed to retain their e-mails that relate to public business.

- (i) The university recognizes the legal and civic consequences of a failure to properly respond to a public records request. In addition to the distrust in government, such a failure may result in a court ordering the university to comply with the law and to pay the requester attorney's fees and damages.

**3356-9-07 Public records.**

Responsible Division/Office: Office of General Counsel  
Responsible Officer: VP for Legal Affairs and Human Resources  
Revision History: November 2007; March 2011; March 2017;  
[September 2022](#)  
Board Committee: University Affairs  
**Effective Date:** ~~March 16, 2017~~ [September 21, 2022](#)  
Next Review: ~~2022~~ [2027](#)

---

- (A) Policy statement. It is the policy of the university that openness leads to a better informed citizenry, which leads to better government and better public policy. In accordance with this policy, the university strictly adheres to the state’s public records act (see section 149.43 of the Revised Code).
- (B) Purpose. To define the procedures that the university will follow in administering the public records law.
- (C) Definition. A “public record” is defined as any document, device or item, regardless of physical form or characteristic, including paper, electronic (including but not limited to e-mail), or other format, that is created or received by or comes under the jurisdiction of a public office that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office. All records of the university are public unless they are specifically exempt from disclosure under section 149.43 of the Revised Code.
- (D) Procedures.
  - (1) It is the policy of the university that, as required by Ohio law, records will be organized and maintained so that they are readily available for inspection and copying. Record retention schedules are to be updated regularly and posted prominently.
  - (2) Each request for public records should be evaluated for a response using the following guidelines:

- (a) Although no specific language is required to make a request, the requester must at least identify the records requested with sufficient clarity to allow the public office to identify, retrieve, and review the records. If it is not clear what records are being sought, the records custodian must contact the requester for clarification.
- (b) The requester does not have to put a records request in writing and does not have to provide ~~his or her~~ their identity or the intended use of the requested public record.
- (c) Public records are to be available for inspection during regular business hours, with the exception of published holidays. Public records must be made available for inspection promptly. Copies of public records must be made available within a reasonable period of time.

“Prompt” and “reasonable” take into account the volume of records requested, the proximity of the location where the records are stored, and the necessity for any legal review of the records requested.

- (d) Public records requests should be directed to the “Office of the General Counsel, Tod Hall, Suite 314, Youngstown State University, One University Plaza, Youngstown, Ohio 44555,” or call (330) 941-2340.

“Routine requests” are those that certain departments receive on a consistent basis and that request basic information. These routine requests do not need to go to the office of the general counsel but may be processed by the office that retains the information after having first discussed the process with the office of the general counsel. “Non-routine requests,” or requests that produce voluminous documents, must be processed through the general counsel’s office.

- (e) Routine requests for information that are easily accessed will be processed as quickly as is reasonable. Non-routine or voluminous requests that require extensive copying or

research will be accompanied by an acknowledgment including:

- (i) An estimated number of business days it will take to satisfy the request.
  - (ii) An estimated cost, if copies are requested.
  - (iii) Any items within the request that may be exempt from disclosure, if known at the time of the acknowledgment.
- (f) Any denial of public records requested must include an explanation, including legal authority. If portions of a record are public and portions are exempt, the exempt portions are to be redacted and the rest released. If there are redactions, each redaction must be accompanied by a supporting explanation, including legal authority.
- (g) Those seeking public records will be charged only the actual cost of making copies. The university is permitted to request payment in advance.
- (i) The charge for paper copies is five cents per page.
  - (ii) The charge for downloaded computer files to a compact disc is one dollar per disc.
  - (iii) There is no charge for documents e-mailed.
  - (iv) Requesters may ask that documents be mailed to them. They will be charged the actual cost of the postage and mailing supplies.
- (h) Documents in electronic mail format are records as defined in section 149.43 of the Revised Code when their content relates to the business of the office. E-mail is to be treated in the same fashion as records in other formats and should follow the same retention schedules.



Records in private e-mail accounts used to conduct public business are subject to disclosure and all employees or representatives of the university are instructed to retain their e-mails that relate to public business.

- (i) The university recognizes the legal and civic consequences of a failure to properly respond to a public records request. In addition to the distrust in government, such a failure may result in a court ordering the university to comply with the law and to pay the requester attorney's fees and damages.



**RESOLUTION TO MODIFY  
RECORDS MANAGEMENT POLICY, 3356-9-09**

**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 Records Management 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 Records Management, policy number 3356-9-09, attached hereto.

**Board of Trustees Meeting  
September 21, 2022  
YR 2023-**

### **3356-9-09      Records management.**

Responsible Division/Office: Office of Academic Affairs  
Responsible Officer: Provost and Vice President for Academic Affairs  
Revision History: March 2012; December 2017; September 2022  
Board Committee: University Affairs  
**Effective Date: September 21, 2022**  
Next Review: 2027

---

- (A) Policy statement. In accordance with section 149.33 of the Revised Code, the board of trustees has full responsibility for establishing and administering a records retention program for Youngstown state university (“university”). The board of trustees directs the university to comply with all state and federal laws regarding the creation and disposition of university records.
- (B) Purpose. To ensure compliance with section 149.33 of the Revised Code for the establishment and administration of efficient and economical management methods applied to the creation, utilization, maintenance, retention, preservation, and disposition of the university’s records.
- (C) Scope. This policy applies to all records of the university, both public and exempt, that are maintained and disposed in accordance with the university’s [records retention schedule](#).
- (D) Definitions (for purposes of this policy).
  - (1) “Records” are defined as any document, device or item, regardless of physical form or characteristic (including a record created, generated, sent, communicated or stored by electronic means) that is created or received by or comes under the jurisdiction of the university and which serves to document the organization, functions, policies, decisions, procedures, operations or other activities of the university. Records and their retention and associated retention schedules are numerated in the “Records Retention for Public Colleges and Universities in Ohio: A Manual” (“IUC manual”). University records may include, but are not limited to:

- (a) Financial records such as requisitions, purchase orders, invoices, bank data, and ledgers or journals.
  - (b) Administrative records such as correspondence, emails, reports, policy statements and related items both sent and received.
  - (c) Minutes of all university board and committee meetings.
  - (d) Publications and other items issued by the university.
- (2) “Non-record materials” are documents, devices, or items in the university’s custody that do not meet the above definition because they are not needed to document the organization, functions, policies, decisions, procedures, operations, or other activities of the university. Examples of non-records include:
- (a) Rough notes and drafts which do not contain any information that needs to be preserved or which merely duplicate information that is being preserved in other documents that are records.
  - (b) Extra copies of documents kept only for reference.
  - (c) Stocks of publications and processed documents.
  - (d) Library or museum materials intended solely for reference or exhibition.
- (3) “Active record” means any record that relates to current business matters and is required to carry out the daily activities of the department.
- (4) “Disposal” means the removal of records from a department or office. It does not necessarily refer to record destruction, but rather to the various processes of records retention, whether offsite storage, conversion, or destruction.

- (5) “Electronic record” means any record that is created, generated, communicated, received, maintained or stored on any electronic medium owned by the university or controlled by the university or a university employee. Examples include, but are not limited to email, word processing documents and spreadsheets, and databases.
  - (6) “Permanent record” means a record that has continued historical or other value to warrant retention beyond the time it is needed for administrative, legal, or fiscal purposes.
  - (7) “Records custodian” means the employee responsible for records retention in their assigned area of university operations.
  - (8) “Records retention schedule” is a listing of various types of routine, administrative records maintained by university offices and departments.
  - (9) “Transitory records” are records which are needed for a limited time to complete a routine action, used in the preparation of final records, or are kept as information or convenience copies by offices or individuals who do not have primary responsibility for them. Examples are drafts of documents, telephone messages, and emails relating to the scheduling of meetings.
  - (10) “Unit leader” is a department chair, office director, or other administrator that directs the regular function of a unit of the university.
- (E) Procedures.
- (1) The program shall be administered by the archives and special collections department of Maag library (“university archives”), which shall have authority to develop administrative procedures and guidelines to implement this rule.
  - (2) The university hereby adopts the IUC manual as developed by the inter-university council of Ohio, as it may be amended by the university’s administration, as its guidelines for the retention of its records. Records and their retention and associated retention schedules are numerated in the IUC manual.

- (3) University employees shall make such records as are necessary for the adequate and proper documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the university and for the protection of the legal and financial rights of the state and persons directly affected by the university's activities.
- (4) The creation of unnecessary and duplicative records should be avoided. Duplicative records are not official and should not be used to represent official records. Duplicative records should not be retained and should be destroyed as soon as their immediate need has passed.
- (5) University records shall be retained for such period as is required by retention schedules established by the IUC manual and administered by university archives and may be disposed of only in accordance with disposition instructions issued by university archives.
- (6) Each unit leader is responsible for ensuring that unit records (including electronic records) are maintained in such a way that they can be identified and retrieved on demand.
- (7) Each unit leader shall identify a records custodian to ensure (in conjunction with university archives) that records are maintained in accordance with the university's records retention schedule. Employees other than the records custodian may maintain records so long as the records custodian is aware of the records and is able to retrieve them.
- (8) Each unit shall develop a records inventory that describes the categories of records created and maintained by that unit.
- (9) Records may be maintained in paper or electronic format so long as they may be identified and retrieved by the custodian. Maintenance and disposal of electronic records shall be determined by the content, not the medium. Digitized paper records (e.g., scanned documents) may be kept in lieu of paper records at the discretion of the unit leader and university archives.

- (10) University records shall not be removed or destroyed except in accordance with the university's records retention schedule.
  - (11) Detailed administration guidelines for records retention are found on the university's [records management](#) website.
- (F) Policy violation, removal, destruction, mutilation, alteration, transfer, or other disposition of university records, except as authorized by this policy, is prohibited and may result in disciplinary action.

### 3356-9-09 Records management.

Responsible Division/Office: ~~Finance and Business Operations~~[Office of Academic Affairs](#)

Responsible Officer: ~~VP for Finance and Business Operations~~[Provost and Vice President for Academic Affairs](#)

Revision History: March 2012; December 2017; [September 2022](#)

Board Committee: University Affairs

**Effective Date:** ~~December 7, 2017~~[September 21, 2022](#)

Next Review: ~~2022~~[2027](#)

---

- (A) Policy statement. In accordance with section 149.33 of the Revised Code, the board of trustees has full responsibility for establishing and administering a records retention program for Youngstown state university (“university”). The board of trustees directs the university to comply with all state and federal laws regarding the creation and disposition of university records.
- (B) Purpose. To ensure compliance with section 149.33 of the Revised Code for the establishment and administration of efficient and economical management methods applied to the creation, utilization, maintenance, retention, preservation, and disposition of the university’s records-.
- (C) Scope. This policy applies to all records of the university, both public and exempt, that are maintained and disposed in accordance with the university’s [records retention schedule](#).
- (D) Definitions (for purposes of this policy).
  - (1) “Records” are defined as any document, device or item, regardless of physical form or characteristic (including a record created, generated, sent, communicated or stored by electronic means) that is created or received by or comes under the jurisdiction of the university and which serves to document the organization, functions, policies, decisions, procedures, operations or other activities of the university. Records and their retention and associated retention schedules are numerated in the ~~IUC~~



~~manual~~” [Records Retention for Public Colleges and Universities in Ohio: A Manual](#) (“IUC manual”). University records may include, but are not limited to:

- (a) Financial records such as requisitions, purchase orders, invoices, bank data, and ledgers or journals.
  - (b) Administrative records such as correspondence, emails, reports, policy statements and related items both sent and received.
  - (c) Minutes of all university ~~boards~~[board](#) and committee meetings.
  - (d) Publications and other items issued by the university.
- (2) “Non-record materials” are documents, devices, or items in the university’s custody that do not meet the above definition because they are not needed to document the organization, functions, policies, decisions, procedures, operations, or other activities of the university. Examples of non-records include:
- (a) Rough notes and drafts which do not contain any information that needs to be preserved or which merely duplicate information that is being preserved in other documents that are records.
  - (b) Extra copies of documents kept only for reference.
  - (c) Stocks of publications and processed documents.
  - (d) Library or museum materials intended solely for reference or exhibition.
- (3) “Active record” means any ~~records~~[record](#) that ~~relate~~[relates](#) to current business matters and ~~are~~[is](#) required to carry out the daily activities of the department.
- (4) “Disposal” means the removal of records from a department or office. It does not necessarily refer to record destruction, but

rather, to the various processes of records retention, whether offsite storage, conversion, or destruction.

- (5) “Electronic record” means any record that is created, generated, communicated, received, maintained or stored on any electronic medium owned by the university or controlled by the university or a university employee. Examples include, but are not limited to: email, word processing documents and spreadsheets, and databases.
- (6) “Permanent record” means a record that has continued historical or other value to ~~a~~ warrant retention beyond the time ~~they are~~ it is needed for administrative, legal, or fiscal purposes.
- (7) “Records custodian” means the employee responsible for records retention in their assigned area of university operations.
- (8) “Records retention schedule” is a listing of various types of routine, administrative records maintained by university offices and departments.
- (9) “Transitory records” are records which are needed for a limited time to complete a routine action, used in the preparation of final records, or are kept as information or convenience copies by offices or individuals who do not have primary responsibility for ~~offices or individuals who do not have primary responsibility for~~ them. Examples are drafts of documents, telephone messages, and emails relating to the scheduling of meetings.
- (10) “Unit leader” is a department chair, office director, or other administrator that directs the regular function of a unit of the university.

~~(D)~~(E) Procedures.

- (1) The program shall be ~~directed by the vice president for finance and business operations and~~ administered by the archives and special collections ~~unit~~ department of Maag library (“university archives”), which shall have authority to develop administrative procedures and guidelines to implement this rule.

- (2) The university hereby adopts the ~~“Records Retention for Public Colleges and Universities in Ohio: A Manual”~~ (hereafter, the ~~“IUC manual”~~) as developed by the inter-university council of Ohio, as it may be amended by the university’s administration, as its guidelines for the retention of its records. Records and their retention and associated retention schedules are numerated in the IUC manual.
- (3) University employees shall make such records as are necessary for the adequate and proper documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the university and for the protection of the legal and financial rights of the state and persons directly affected by the university’s activities.
- (4) The creation of unnecessary and duplicative records should be avoided. Duplicative records are not official and should not be used to represent official records. Duplicative records should not be retained and should be destroyed as soon as their immediate need has passed.
- (5) University records shall be retained for such period as is required by retention schedules established by the IUC manual and administered by university archives and may be disposed of only in accordance with disposition instructions issued by ~~the~~ university archives.
- (6) Each unit leader is responsible for ensuring that unit records (including electronic records) are maintained in such a way that they can be identified and retrieved on demand.
- (7) Each unit leader shall identify a records custodian to ensure (in conjunction with university archives) that records are maintained in accordance with the university’s records retention schedule. Employees other than the records custodian may maintain records so long as the records custodian is aware of the records and is able to retrieve them.
- (8) Each unit shall develop a records inventory that describes the categories of records created and maintained by that unit.

- (9) Records ~~may~~may be maintained in paper or electronic format so long as they may be identified and retrieved by the custodian. Maintenance and disposal of electronic records shall be determined by the content, not the medium. Digitized paper records (e.g., scanned documents) may be kept in lieu of paper records at the discretion of the unit leader and university archives.
  - (10) University records shall not be removed or destroyed except in accordance with the university's records retention schedule.
  - (11) Detailed administration guidelines for ~~Youngstown state university~~ records retention are found on the [university's records management](#) website.
- (F) Policy violation, removal, destruction, mutilation, alteration, transfer, or other disposition of university records, except as authorized by this policy, is prohibited and may result in disciplinary action.



**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 23, 2022, meeting of the Board of Trustees; and

**WHEREAS**, such personnel actions are in accordance with the 2021-2022 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; 3356-7-43, Externally Funded Professional/Administrative Staff; and 3356-7-36, Hiring and Selection Process, Contracts and Compensation for Intercollegiate Athletic Coaches;

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

**Board of Trustees Meeting  
September 21, 2022  
YR 2023-**



## **SUMMARY OF PERSONNEL ACTIONS**

### **Professional Administrative and Faculty Employees**

**4/16/22 through 7/15/22**

#### **Separations – 26**

- Professional Administrative Staff – 6
- Excluded – 4
- Externally Funded – 4
- Faculty – 12

#### **Appointments – 8**

##### **Replacement Positions – 4**

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

##### **New Positions – 4**

- Excluded – 2
- Externally Funded – 2

#### **Reclassifications/Position Adjustments – 17**

- Professional Administrative Staff – 5
- Excluded – 11
- Faculty – 1

#### **Promotions – 9**

- Professional Administrative Staff – 8
- Excluded – 1

#### **Salary Adjustments – 28**

- Professional Administrative – 3
- Excluded – 6
- Externally Funded – 19

## **Transfers – 2**

- Professional Administrative Staff – 1
- Excluded – 1

**YOUNGSTOWN STATE UNIVERSITY**  
**PROFESSIONAL ADMINISTRATIVE AND FACULTY**  
**PERSONNEL ACTIONS 4/16/22 THROUGH 7/15/22**  
**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>	<b>SEPARATION TYPE</b>
Centofanti, Allison	APAS	Success Coordinator	First Year Student Services	5/27/2022	1.00	\$ 43,645.00	Resignation
Defibaugh, Brittany	APAS	Engagement	Alumni & Events Operations	5/13/2022	1.00	\$ 40,812.16	Resignation
Hazy, Virginia	APAS	Program Coordinator Strategic Communication	Dean Cliffe College of Creative Arts	5/31/2022	1.00	\$ 60,000.00	Resignation
Miller, Susanne	APAS	Senior Academic Advisor 2	Dean Bitonte College Health & Human	5/31/2022	1.00	\$ 60,994.42	Retirement
Tupaj, Robert	APAS	Website Manager Portal Administrator	Marketing & Communications	7/4/2022	1.00	\$ 75,831.63	Retirement
Wells, Brian	APAS	Senior Academic Advisor 1	Dean Bitonte College Health & Human	5/31/2022	1.00	\$ 51,386.37	Resignation
Geltz, Rebecca	Excluded	Director	Institutional Research & Analytics	7/5/2022	1.00	\$ 95,040.54	Retirement
Greco-Yanniello, Alisha	Excluded	Director HRIS	Human Resources	4/22/2022	1.00	\$ 93,000.00	Resignation
Styraneec, Timothy	Excluded	Associate Director	Environmental Occupational Health & Safety	5/13/2022	1.00	\$ 66,973.76	Resignation
Sweeney, Stanley	Excluded	Director Kilcawley Center Student Union	Kilcawley Center	5/9/2022	1.00	\$ 76,125.00	Resignation
Haynie, Hannah	Externally Funded	Coordinator COVID Tracking Operations	Environmental Occupational Health & Safety	5/15/2022	0.25	\$ 26,000.00	Resignation
Loew, Melanie	Externally Funded	Coordinator English Festival	English	5/15/2022	0.38	\$ 13,933.33	Resignation
Gavin, Caitlin	Externally Funded	Instruction Specialist	Rich Center for Autism	7/15/2022	1.00	\$ 37,324.64	Resignation
Knight, Kristin	Externally Funded	Class Mentor Lead Instruction Specialist	Rich Center for Autism	6/30/2022	1.00	\$ 37,483.99	Resignation
Brickey, Russell	Faculty	Lecturer	English	5/15/2022	1.00	\$ 43,588.68	Nonrenewal
Choi, Myunghyun	Faculty	Lecturer	Criminal Justice	7/2/2022	1.00	\$ 42,734.00	Resignation



**YOUNGSTOWN STATE UNIVERSITY**  
**PROFESSIONAL ADMINISTRATIVE AND FACULTY**  
**PERSONNEL ACTIONS 4/16/22 THROUGH 7/15/22**  
**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>	<b>SEPARATION TYPE</b>
Chordas, Ronald	Faculty	Lecturer	Master of Health & Human Services	5/15/2022	1.00	\$ 57,909.14	Nonrenewal
Dick, Jeffrey	Faculty	Professor	Geology & Environmental Studies	6/30/2022	1.00	\$ 91,338.04	Retirement
Fields, Ronald	Faculty	Lecturer	English	5/15/2022	1.00	\$ 43,588.68	Nonrenewal
Gaier, Robyn	Faculty	Lecturer	Philosophy & Religious Studies	5/16/2022	1.00	\$ 49,138.50	Resignation
Huising, Cynthia	Faculty	Lecturer	Physics & Astronomy	5/15/2022	1.00	\$ 43,588.68	Nonrenewal
Jacobs, Alan	Faculty	Professor	Geology & Environmental Studies	5/31/2022	1.00	\$ 94,703.46	Retirement
LaVine, Mary	Faculty	Associate Professor	Teacher Education	6/20/2022	1.00	\$ 71,815.79	Retirement
Mathews, Walter	Faculty	Associate Professor	Communication	5/7/2022	1.00	\$ 84,791.00	Retirement
Mingrone, Alessia	Faculty	Visiting Lecturer - Ives	World Languages and Cultures	5/15/2022	1.00	\$ 42,734.00	Nonrenewal
Raabe, Amy	Faculty	Lecturer	Human Ecology	5/15/2022	1.00	\$ 54,653.52	Nonrenewal

**YOUNGSTOWN STATE UNIVERSITY  
PROFESSIONAL ADMINISTRATIVE AND FACULTY  
PERSONNEL ACTIONS 4/16/22 THROUGH 7/15/22  
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>
Alexander, Anne	APAS	Academic Advisor 1	Dean - WCBA	7/5/2022	1.00	\$ 35,568.00
Jerome, Madison*	Excluded	Deputy, Title IX Coordinator and Investigator	Equal Opportunity & Policy Compliance	7/5/2022	1.00	\$ 48,000.00
Marino, Nicole*	Excluded	Intermittent Museum Assistant and Educator	Industry & Labor Steel Museum	7/6/2022	0.25	\$ 16,640.00
Moring, Greg	Excluded	Acting Chair, Art	Dean - Cliffe College of Creative Arts	6/16/2022	0.45	\$ 40,000.00
Chapman, Gabrielle	Externally Funded	Instruction Specialist	Rich Center for Autism	7/5/2022	1.00	\$ 21,175.00
Giamboi, Julia	Externally Funded	Instruction Specialist	Rich Center for Autism	7/5/2022	1.00	\$ 22,175.00
Prokop, Andrew*	Externally Funded	Project Technician, Hybrid DED Additive Manufacturing	Civil Environmental & Chemical Engr	6/16/2022	1.00	\$ 65,000.00
Rea, Allison*	Externally Funded	Project Technician	Excellence Training Center	7/5/2022	1.00	\$ 57,000.00
<b>*New Positions</b>						

**YOUNGSTOWN STATE UNIVERSITY**  
**PROFESSIONAL ADMINISTRATIVE AND FACULTY**  
**PERSONNEL ACTIONS 4/16/22 THROUGH 7/15/22**  
**RECLASSIFICATIONS/POSITION ADJUSTMENTS**

<b>EMPLOYEE NAME</b>	<b>EMPLOYEE TYPE</b>	<b>NEW POSITION TITLE/ OLD POSITION TITLE</b>	<b>NEW DEPARTMENT/ OLD DEPARTMENT</b>	<b>CONTRACT/ APPOINTMENT DATES</b>	<b>FTE</b>	<b>NEW SALARY</b>	<b>PREVIOUS SALARY</b>
Bannon, Crystal	APAS	Assistant Director/ Senior Career Academic Advisor 1	Career Exploration & Development	6/16/2022	1.00	\$ 50,341.11	\$ 47,943.91
Fetty, Katie	APAS	Success Coordinator/ Success Coordinator	Dean, Bitonte College Health & Human Services/First Year Student Success	7/5/2022	1.00	\$ 45,500.00	\$ 44,517.90
Miller, Megan	APAS	Senior Counselor, Penguin Service Center/ Counselor, Penguin Service Ctr	Registration & Records	5/1/2022	1.00	\$ 37,500.00	\$ 32,987.50
Stephan, Katie	APAS/Externally Funded	Clinical Counselor	Student Counseling Services	7/1/2022	1.00	\$ 52,800.30	\$ 51,765.00
Thompson, Kimberly	APAS	Senior Counselor Financial Aid/ Counselor, Financial Aid	Financial Aid and Scholarships	4/16/2022	1.00	\$ 40,505.91	\$ 36,823.55
Belgin, Heather	Excluded	Director / Associate Director	Alumni & Events Operations	4/16/2022	1.00	\$ 68,000.00	\$ 62,202.67
Christiansen Erb, Joy	Excluded	Associate Dean/ Special Assistant to the Dean	Dean - Cliffe College of Creative Arts	4/16/2022	1.00	\$ 107,000.00	\$ 101,829.00
Greene, Barbara	Excluded	Interim Director/ Manager AP Travel Services	Procurement Services	4/16/2022	1.00	\$ 79,020.00	\$ 69,020.00
Kucharski, Debora	Excluded/APAS	Interim Director/ Academic Advisor 2	Dean - STEM	7/16/2022	1.00	\$ 57,043.56	\$ 52,894.94
Lamb, Carol	Excluded	Interim Associate Dean/ Professor and Director	Dean - STEM/ School of Computer Science, Information & Engr Tech	7/1/2022	1.00	\$ 125,000.00	\$ 105,277.68
Luce, Stacey	Excluded	Manager, Benefits and Training / Manager, Employee Benefits	Human Resources	6/16/2022	1.00	\$ 68,329.80	\$ 62,118.00

**YOUNGSTOWN STATE UNIVERSITY**  
**PROFESSIONAL ADMINISTRATIVE AND FACULTY**  
**PERSONNEL ACTIONS 4/16/22 THROUGH 7/15/22**  
**RECLASSIFICATIONS/POSITION ADJUSTMENTS**

<b>EMPLOYEE NAME</b>	<b>EMPLOYEE TYPE</b>	<b>NEW POSITION TITLE/ OLD POSITION TITLE</b>	<b>NEW DEPARTMENT/ OLD DEPARTMENT</b>	<b>CONTRACT/ APPOINTMENT DATES</b>	<b>FTE</b>	<b>NEW SALARY</b>	<b>PREVIOUS SALARY</b>
Minotti, Armand	Excluded	Associate Director, Marketing & Advertising/ Assistant Director, Marketing & Advertising	Marketing & Communications	5/1/2022	1.00	\$ 55,825.00	\$ 50,750.00
Rojas, Rolando	Excluded/APAS	Manager/ Coordinator	Undergraduate Admissions	5/1/2022	1.00	\$ 44,601.52	\$ 36,601.52
Sahli, Susan	PA Excluded/ Classified Excluded	Manager / Student Loan Supervisor	Financial Aid and Scholarships	4/16/2022	1.00	\$ 61,661.60	\$ 56,056.00
Scrocco, Frank	Excluded/APAS	Manager / Assist Director Special Program	Financial Aid and Scholarships	4/16/2022	1.00	\$ 57,229.65	\$ 52,026.95
Thomas, Jennifer	Excluded/APAS	Manager/Assistant Director SP Verification	Financial Aid and Scholarships	4/16/2022	1.00	\$ 51,417.78	\$ 45,908.73
Smith, Stephanie	Faculty	Professor/ Professor & Chair Visual/Dramatic Arts	Art/Visual Dramatic Arts	7/1/2022	1.00	\$ 86,919.36	\$ 104,601.36

**YOUNGSTOWN STATE UNIVERSITY**  
**PROFESSIONAL ADMINISTRATIVE AND FACULTY**  
**PERSONNEL ACTIONS 4/16/22 THROUGH 7/15/22**  
**PROMOTIONS**

<b>EMPLOYEE NAME</b>	<b>NEW EMPLOYEE TYPE/OLD EMPLOYEE</b>	<b>NEW POSITION TITLE/ OLD POSITION TITLE</b>	<b>NEW DEPARTMENT/ OLD DEPARTMENT</b>	<b>CONTRACT APPT. DATES</b>	<b>FTE</b>	<b>NEW SALARY</b>	<b>PREVIOUS SALARY</b>
Baker, Stephanie	APAS	Case Manager / Coordinator Housing Res Life	Dean of Students / Housing	7/5/2022	1.00	\$ 45,000.00	\$ 40,914.95
Buck, Tiffany	APAS/Classified Excluded	Senior Financial Analyst / Business Operations Specialist 4	Controller's Office / Facilities Maintenance	4/16/2022	1.00	\$ 45,000.00	\$ 39,395.20
Burdette, Molly	APAS	Assistant Director, Degree Completion & Credentialing Facilitator/ Senior Academic Advisor 1	Registration & Records / Dean - Beeghly College Liberal Arts, Social Sciences & Education	5/16/2022	1.00	\$ 57,000.00	\$ 48,606.32
Duchon, Brian	APAS	Assistant Director / Senior Counselor Financial Aid	Financial Aid and Scholarships	4/16/2022	1.00	\$ 45,000.00	\$ 40,505.91
Korda, Dalton	APAS	Coordinator Ops and Event Services/Temp Coordinator Facility Operations	Kilcawley Center	5/16/2022	1.00	\$ 40,000.00	\$ 36,101.52
Muir, Lauren	APAS	Associate Bursar / Coordinator, Gifts Accounting	Bursar / Controller's Office	5/16/2022	1.00	\$ 63,000.00	\$ 47,197.50
Theiss, Ian	APAS	Assistant Director Retail Operations/Temporary Coordinator Retail Operations	Kilcawley Center	5/16/2022	1.00	\$ 45,000.00	\$ 36,101.00
Wells, Nicole	APAS	Coordinator Teacher Licensure/ Clinical Coordinator Graduate	Dean - Beeghly College Liberal Arts, Social Science & Education/ Nursing	5/1/2022	1.00	\$ 50,000.00	\$ 48,705.00
Cameron, Angela	Excluded	Associate Director Research Services /Director	Office of Research Services / Ctr for Human Services Develop	6/20/2022	1.00	\$ 73,143.00	\$ 67,967.45

**YOUNGSTOWN STATE UNIVERSITY**  
**PROFESSIONAL ADMINISTRATIVE AND FACULTY**  
**PERSONNEL ACTIONS 4/16/22 THROUGH 7/15/22**  
**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>
Stanley, Jacob	APAS	Coordinator	Undergraduate Admissions	5/1/2022	1.00	\$ 40,000.00	1.00	\$ 36,101.52
Clyde, Carrie	APAS	Learning and Development Admin	Human Resources	5/16/2022	1.00	\$ 55,506.39	1.00	\$ 55,006.39
Leonelli, Ashley	APAS	Coordinator Graduate Admissions	Dean College of Graduate Studies	6/1/2022	1.00	\$ 46,964.26	1.00	\$ 46,464.26
Ewing, David	Excluded	Associate Director	Grounds	5/16/2022	1.00	\$ 75,000.00	1.00	\$ 67,583.59
Gentile, Julie	Excluded	Director	Environmental Occupational Health & Safety	6/1/2022	1.00	\$ 75,000.00	1.00	\$ 69,020.00
Hubert, Christine	Excluded	Director	Undergraduate Admissions	5/1/2022	1.00	\$ 93,079.22	1.00	\$ 88,079.22
Sacco, Vincent	Excluded	Director	Facilities Maintenance	5/16/2022	1.00	\$ 95,000.00	1.00	\$ 88,238.71
Spencer, William	Excluded	Associate Director, Planning & Construction	Facilities Maintenance	5/1/2022	1.00	\$ 85,000.00	1.00	\$ 75,077.89
White, Richard	Excluded	Director, Planning & Construction	Facilities Maintenance	5/1/2022	1.00	\$ 95,000.00	1.00	\$ 81,860.77
Bock, Jodie	Externally Funded	Instruction Specialist	Rich Center for Autism	7/1/2022	1.00	\$ 28,956.45	1.00	\$ 27,577.57
Bondi, Daniel	Externally Funded	Lead Instruction Specialist	Rich Center for Autism	7/1/2022	1.00	\$ 36,921.29	1.00	\$ 35,163.13
Burton, Shawntae	Externally Funded	Outreach Coordinator ADMETE	Civil Environmental & Chemical Engineer	5/1/2022	1.00	\$ 49,654.11	1.00	\$ 45,140.10
Candel, Anthony	Externally Funded	Lead Instruction Specialist	Rich Center for Autism	7/1/2022	1.00	\$ 42,619.65	1.00	\$ 40,590.14
Chapman, Chaste	Externally Funded	Instruction Specialist	Rich Center for Autism	7/1/2022	1.00	\$ 22,233.75	1.00	\$ 21,175.00
Cornell, Amy	Externally Funded	Lead Instruction Specialist	Rich Center for Autism	7/1/2022	1.00	\$ 35,980.84	1.00	\$ 34,267.47
Gavin, Caitlin	Externally Funded	Class Mentor Lead Instruction Specialist	Rich Center for Autism	7/1/2022	1.00	\$ 37,324.64	1.00	\$ 35,547.28

**YOUNGSTOWN STATE UNIVERSITY**  
**PROFESSIONAL ADMINISTRATIVE AND FACULTY**  
**PERSONNEL ACTIONS 4/16/22 THROUGH 7/15/22**  
**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>
Gereb, Scott	Externally Funded	Instruction Specialist	Rich Center for Autism	7/1/2022	1.00	\$ 33,668.73	1.00	\$ 32,065.46
Harris, Gloria	Externally Funded	Lead Instruction Specialist	Rich Center for Autism	7/1/2022	1.00	\$ 33,948.41	1.00	\$ 32,331.82
Joseph, Jana	Externally Funded	Lead Instruction Specialist	Rich Center for Autism	7/1/2022	1.00	\$ 40,239.57	1.00	\$ 38,323.40
Kassos, Pamela	Externally Funded	Lead Instruction Specialist	Rich Center for Autism	7/1/2022	1.00	\$ 34,983.57	1.00	\$ 33,317.69
Leskovec, Alexandra	Externally Funded	Class Mentor Lead Instruction Specialist	Rich Center for Autism	7/1/2022	1.00	\$ 38,720.83	1.00	\$ 36,876.98
Mancini, Anthony	Externally Funded	Instruction Specialist	Rich Center for Autism	7/1/2022	1.00	\$ 28,956.45	1.00	\$ 27,577.57
Moore, Kimberly	Externally Funded	Instruction Specialist	Rich Center for Autism	5/16/2022	1.00	\$ 24,057.82	1.00	\$ 22,696.06
Moore, Kimberly	Externally Funded	Instruction Specialist	Rich Center for Autism	7/1/2022	1.00	\$ 25,260.71	1.00	\$ 24,057.82
Porch, Erica	Externally Funded	Lead Instruction Specialist	Rich Center for Autism	7/1/2022	1.00	\$ 34,037.17	1.00	\$ 32,416.35
Trott, Natalie	Externally Funded	Lead Instruction Specialist	Rich Center for Autism	7/1/2022	1.00	\$ 39,157.62	1.00	\$ 37,292.97
Watkins, Taliah	Externally Funded	Lead Instruction Specialist	Rich Center for Autism	7/1/2022	1.00	\$ 39,157.62	1.00	\$ 37,292.97
Wilson, Marcelle	Externally Funded	Museum Site Manager	History	7/1/2022	0.50	\$ 24,565.07	0.50	\$ 23,112.67

**YOUNGSTOWN STATE UNIVERSITY  
PROFESSIONAL ADMINISTRATIVE AND FACULTY  
PERSONNEL ACTIONS 4/16/22 THROUGH 7/15/22  
TRANSFERS**

<b>EMPLOYEE NAME</b>	<b>EMPLOYEE TYPE</b>	<b>NEW POSITION TITLE/ OLD POSITION TITLE</b>	<b>NEW DEPARTMENT/ OLD DEPARTMENT</b>	<b>CONTRACT APPT. DATES</b>	<b>FTE</b>	<b>SALARY</b>
Moorer, Susan	APAS	Assistant Director DEI / Assistant Director SAS	Diversity and Inclusion / Dean of Students	6/16/2022	1.00	\$ 65,053.70
Rogner, William	Excluded	Campus Safety Emergency Management Officer	YSU Police / University Relations	4/16/2022	1.00	\$ 48,283.14





## **SUMMARY OF PERSONNEL ACTIONS**

### **Athletic Employees**

**4/16/2022 through 7/15/2022**

#### **Separations – 7**

- Professional Administrative Staff – 1
- Excluded – 6

#### **Appointments – 3**

- Excluded – 3

#### **Salary Adjustments – 17**

- Professional Administrative Staff – 1
- Excluded – 16

**YOUNGSTOWN STATE UNIVERSITY**  
**ATHLETICS EMPLOYEES**  
**PERSONNEL ACTIONS 4/16/22 THROUGH 7/15/22**  
**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>	<b>TYPE OF SEPARATION</b>
Bailey, Rashaun	APAS	Assistant Athletic Trainer	Training Room	6/17/2022	1	\$ 57,117.26	Resignation
Collins, Ryan	Excluded	Assistant Coach Swimming	Swimming & Diving - Women's	6/3/2022	1.00	\$ 35,000.00	Nonrenewal
Gervelis, Alyssa	Excluded	Assistant Coach	Soccer - Women's	5/15/2022	1.00	\$ 30,450.00	Resignation
Marshall, Taylor	Excluded	Asst Coach Women's	Lacrosse - Women's	6/10/2022	1.00	\$ 32,500.00	Resignation
Nwachukwu, Chinedu	Excluded	Assistant Coach	Basketball - Men's	7/15/2022	1.00	\$ 77,647.50	Resignation
Peterson, Cole	Excluded	Assistant Football Coach	Football	7/8/2022	1.00	\$ 45,900.00	Resignation
Ritter, Lynnne	Excluded	Assistant Coach	Volleyball	6/24/2022	1.00	\$ 30,000.00	Resignation

**YOUNGSTOWN STATE UNIVERSITY  
ATHLETICS EMPLOYEES  
PERSONNEL ACTIONS 4/16/22 THROUGH 7/15/22  
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>
Phillips, Thomas	Excluded	Assistant Coach	Football	4/18/2022	1.00	\$ 55,000.00
Romanyk-O'Brien, Ashley	Excluded	Assistant Coach	Lacrosse - Women's	7/5/2022	1.00	\$ 32,500.00
Bergner, Miles	Excluded	Manager, Athletic Facilities and Prog	Athletic Facilities Rental	5/16/2022	1.00	\$ 50,000.00

**YOUNGSTOWN STATE UNIVERSITY**  
**ATHLETICS EMPLOYEES**  
**PERSONNEL ACTIONS 4/16/22 THROUGH 7/15/22**  
**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>
Eddy, Connie	APAS	Coordinator	Ticket Office	6/1/2022	1.00	\$ 45,441.96	1.00	\$ 43,278.06
Butler, Chelsie	Excluded	Assistant Coach	Basketball - Women's	7/1/2022	1.00	\$ 51,510.00	1.00	\$ 47,500.00
Campbell, Brian	Excluded	Head Coach	Softball	7/1/2022	1.00	\$ 62,738.16	1.00	\$ 60,898.84
Clarkson, Kendyl	Excluded	Assistant Coach	Lacrosse - Women's	7/1/2022	1.00	\$ 41,335.50	1.00	\$ 35,525.00
Glover, Malika	Excluded	Assistant Coach	Basketball - Women's	7/1/2022	1.00	\$ 53,805.00	1.00	\$ 50,750.00
Gorby, Brian	Excluded	Head Coach Track and CC	Track - Men's	7/1/2022	1.00	\$ 71,359.20	1.00	\$ 68,588.63
Hernandez, Ulises	Excluded	Head Coach	Tennis - Men's	7/1/2022	1.00	\$ 41,256.96	1.00	\$ 35,447.64
Joy, Tony	Excluded	Head Coach	Golf - Men's	7/1/2022	0.75	\$ 29,483.10	0.75	\$ 28,618.48
Kuberski, Douglas	Excluded	Head Coach	Women's Bowling	7/1/2022	1.00	\$ 46,597.68	1.00	\$ 40,683.83
Morales, Arnaldo	Excluded	Assistant Coach Track and Field	Track - Men's	7/1/2022	1.00	\$ 42,179.04	1.00	\$ 40,541.00
Nicolais, John	Excluded	Associate Head Coach	Basketball - Women's	7/1/2022	1.00	\$ 60,001.50	1.00	\$ 55,825.00
Pacanowski, Jason	Excluded	Assistant Coach Director of Operations Wms Bktb	Basketball - Women's	7/1/2022	1.00	\$ 41,414.04	1.00	\$ 38,602.00
Reagan, Kelsey	Excluded	Assistant Coach Swimming	Swimming & Diving - Women's	7/1/2022	1.00	\$ 41,335.50	1.00	\$ 35,525.00
Sopel, Mickael	Excluded	Head Coach	Tennis - Women's	7/1/2022	1.00	\$ 55,894.98	1.00	\$ 53,724.29
Tomei, Megan	Excluded	Assistant Coach Track Field Throws	Track - Women's	7/1/2022	1.00	\$ 45,257.40	1.00	\$ 43,500.00
Walton, Theresa	Excluded	Head Coach	Lacrosse - Women's	7/1/2022	1.00	\$ 63,360.36	1.00	\$ 60,900.00
Zilles, Sara	Excluded	Assistant Coach	Softball	7/1/2022	1.00	\$ 41,976.06	1.00	\$ 40,745.34



**RESOLUTION TO SELECT INTERIM PRESIDENT AND  
THEREAFTER CONDUCT NATIONAL SEARCH**

**WHEREAS**, President James P. Tressel announced in June 2022 that he and First Lady Ellen Tressel will be stepping aside from their duties effective February 1, 2023; and

**WHEREAS**, the Board of Trustees desires to conduct a full and thorough national search using a respected national recruiting firm in order to assist with selecting a president to continue the critical work of the university including, implementing the Plan for Strategic Actions to Take Charge of Our Future; and

**WHEREAS**, the Board of Trustees has determined that, under the current circumstances, the most effective and efficient strategy to achieve the university goals is to appoint an Interim President to fill the role after February 1<sup>st</sup> .

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Trustees of Youngstown State University will announce an Interim President between now and the December Board meeting to begin after February 1, 2023; and

**BE IT FURTHER RESOLVED**, that the Board of Trustees of Youngstown State University will thereafter conduct a national search, including hiring an experienced recruiting firm to advise and assist in the presidential search.

**Board of Trustees Meeting  
September 21, 2022  
YR 2023-**



**RESOLUTION RELATED TO THE YSU FUTURE STATE: CRAFTING A  
SUSTAINABLE FUTURE IN CONSIDERATION OF THE FALL 2022 14<sup>TH</sup>-DAY  
ENROLLMENT REPORT, ENROLLMENT TRENDS, AND OTHER PERTINENT  
FACTORS**

**WHEREAS**, after significant campus involvement in the process, the Board of Trustees in June 2020 endorsed the Plan for Strategic Actions to Take Charge of Our Future (“Plan”); and

**WHEREAS**, the Board via various Resolutions and via topics of discussion has consistently stressed the importance of tailoring the academic portfolio in consideration of serving the region and beyond, including the accountability structures in place and that are emerging regarding state and federal support of higher education; and

**WHEREAS**, the Board has endorsed implementation of various student support structures including a student success seminar, redesign of academic advising structures, implementation of degree audit (Penguin Pass) and student advising technology platforms, international student enrollment and success strategy, amongst others, intended to better serve students and improve retention, persistence, progress, and completion; and

**WHEREAS**, while academic excellence and student success are foundational to the success of the university, athletics and the physical environment are important assets associated with the viability and vitality of the university, as previously resolved during the development of the Plan and via BOT Bylaws related to the governing of athletics; and

**WHEREAS**, the Board endorsed a Resolution\* related to resources stating that, “...investment in ongoing commitments to personnel and the physical environment, without net new revenue, requires the reallocation of current resources, meaning if compensation increases, there will be cascading implications...”; and

**WHEREAS**, a second Voluntary Separation and Retirement Program has been offered pursuant to article 13.2b of the Collective Bargaining Agreement with the Youngstown Chapter of the Ohio Education Association that was designed to support institutional sustainable prosperity, a primary Board responsibility; and

**WHEREAS**, the Board has engaged the YSU community in Future State Conversations considering a sustainable future related to the inextricable interactions of academic vitality, enrollment, and sustainability; and

\*YOUNGSTOWN STATE UNIVERSITY BOARD OF TRUSTEES' RESOLUTION RELATED TO STRATEGIC ALLOCATION, REALLOCATION, AND DISTRIBUTION OF RESOURCES TO TAKE CHARGE OF OUR FUTURE, March 5, 2020

**WHEREAS**, the Board considered a Report regarding the 14<sup>th</sup>-day Preliminary Enrollment Report for fall 2022 (attached), as identified in Article 13 of the [Collective Bargaining Agreement](#) with the Youngstown State University Chapter of the Ohio Education Association.

**NOW THEREFORE, BE IT RESOLVED** that in consideration of the 14<sup>th</sup>-day Enrollment Report indicating a decline in enrollment in Fall 2022, the decreased enrollment in previous years and potentially, even with significant successful actions to reduce the decline, similar or worse enrollment declines in future years, and because enrollment is related to the academic portfolio both of which directly influence sustainable prosperity of Youngstown State University, this Board of Trustees continues to expect progress be made on the expectations expressed in the Resolution related to the Fall 2021 14<sup>th</sup>-day Preliminary Enrollment Report (attached), particularly related to establishing clear expectations and actionable timelines; and

**BE IT ALSO RESOLVED**, the Board has complete confidence in administration to take appropriate actions to optimize the academic portfolio and thereby contribute to the sustainable prosperity of Youngstown State University.

Board of Trustees  
September 21, 2022  
2022 – xx

**YOUNGSTOWN STATE UNIVERSITY**  
**PRELIMINARY ENROLLMENT SUMMARY**  
**14TH DAY**

Fall 2022

September 13, 2022

**HEADCOUNT STATISTICS**

	F a l l 2 0 2 0			F a l l 2 0 2 1			F a l l 2 0 2 2			% PREVIOUS YEAR	3-Year Average
	Undergrad	Grad	TOTAL	Undergrad	Grad	TOTAL	Undergrad	Grad	TOTAL		
Beehly College of Lib Arts, Soc Sci & Educ.	2,265	442	2,707	2,232	543	2,775	2,211	573	2,784	100.3	2,755
Bitonte College of Health & Human Svc.	2,646	459	3,105	2,237	616	2,853	2,079	725	2,804	98.3	2,921
Cliffe College of Creative Arts	478	24	502	451	19	470	428	26	454	96.6	475
Science, Technology, Engineering & Math	3,014	122	3,136	2,545	152	2,697	2,371	265	2,636	97.7	2,823
Williamson College of Business Administration	1,659	267	1,926	1,570	516	2,086	1,478	555	2,033	97.5	2,015
Student Success	408		408	412		412	353		353	85.7	391
College of Graduate Studies~		4	4		5	5		8	8	160.0	6
<b>University Total</b>	<b>10,470</b>	<b>1,318</b>	<b>11,788</b>	<b>9,447</b>	<b>1,851</b>	<b>11,298</b>	<b>8,920</b>	<b>2,152</b>	<b>11,072</b>	<b>98.0</b>	<b>11,386</b>
All terms reflect the 2020-2021 college reorganizations.											
	Men	Women	TOTAL	Men	Women	TOTAL	Men	Women	TOTAL		
<b>First-Time Undergraduates<sup>1</sup></b>	811	973	1,784	717	869	1,586	691	871	1,562	98.5	1,644
Freshmen	388	390	778	356	364	720	350	304	654	90.8	717
Sophomore	900	1,020	1,920	747	914	1,661	719	830	1,549	93.3	1,710
Junior	866	1,024	1,890	835	970	1,805	706	875	1,581	87.6	1,759
Senior	1,242	1,541	2,783	1,124	1,467	2,591	1,067	1,389	2,456	94.8	2,610
*Not Classified Undergraduates	495	820	1,315	396	688	1,084	453	665	1,118	103.1	1,172
<b>Undergraduate Total</b>	<b>4,702</b>	<b>5,768</b>	<b>10,470</b>	<b>4,175</b>	<b>5,272</b>	<b>9,447</b>	<b>3,986</b>	<b>4,934</b>	<b>8,920</b>	<b>94.4</b>	<b>9,612</b>
<b>Graduate</b>	388	733	1,121	548	1,071	1,619	715	1,133	1,848	114.1	1,529
*Grads with <= 34 Semester Hours Completed	8	8	16	3	9	12	4	6	10	83.3	13
*Grads > than 34 Semester Hours Completed	0	0	0	0	0	0	0	0	0	N/A	N/A
<b>Professional</b>	47	63	110	52	93	145	55	112	167	115.2	141
<b>Doctorate</b>	31	40	71	31	44	75	53	74	127	169.3	91
<b>Graduate~ Total</b>	<b>474</b>	<b>844</b>	<b>1,318</b>	<b>634</b>	<b>1,217</b>	<b>1,851</b>	<b>827</b>	<b>1,325</b>	<b>2,152</b>	<b>116.3</b>	<b>1,774</b>
<b>University Total</b>	<b>5,176</b>	<b>6,612</b>	<b>11,788</b>	<b>4,809</b>	<b>6,489</b>	<b>11,298</b>	<b>4,813</b>	<b>6,259</b>	<b>11,072</b>	<b>98.0</b>	<b>11,386</b>
<b>YSU's Full-Time-Equivalent (FTE)</b>			<b>9,739</b>			<b>9,031</b>			<b>8,673</b>	<b>96.0</b>	<b>9,148</b>

\* These students have no immediate degree goal.

YSU's Full-Time-Equivalent (FTE) = Student credit hours divided by 15.

~ College of Graduate Studies enrollment data is not complete until the end of the term due to irregular registration periods necessary for processing workshops and flexibly scheduled course enrollments.

<sup>1</sup> First-Time Undergraduates in this section reflect degree-seeking students enrolled in higher education for the first time after high school graduation.

**RESIDENCY AND STUDENT LOAD**

	F a l l 2 0 2 0			F a l l 2 0 2 1			F a l l 2 0 2 2			% PREVIOUS YEAR	3-Year Average
	Full-Time*	Part-Time	TOTAL	Full-Time	Part-Time	TOTAL	Full-Time	Part-Time	TOTAL		
<b>In State~</b>	7,543	2,299	9,842	7,153	2,142	9,295	6,775	2,141	8,916	95.9	9,351
<b>Out of State</b>	1,788	158	1,946	1,810	193	2,003	1,951	205	2,156	107.6	2,035
<b>Total</b>	<b>9,331</b>	<b>2,457</b>	<b>11,788</b>	<b>8,963</b>	<b>2,335</b>	<b>11,298</b>	<b>8,726</b>	<b>2,346</b>	<b>11,072</b>	<b>98.0</b>	<b>11,386</b>
<b>%</b>	79.2	20.8	100	79.3	20.7	100	78.8	21.2	100		

\*Full-Time Graduates = graduate students enrolled for 6 or more credit hours (prior to Fall 2019, 9 or more credit hours); Undergraduates = undergraduates students enrolled for 12 or more credit hours.

~ Includes Forever Buckeye, out-of-state students who are charged in-state tuition rates.



**YOUNGSTOWN STATE UNIVERSITY**  
**PRELIMINARY ENROLLMENT SUMMARY**  
**14TH DAY**

Fall 2022

September 13, 2022

**STUDENT ADMISSION STATUS**

	F a l l 2 0 2 0			F a l l 2 0 2 1			F a l l 2 0 2 2			% PREVIOUS YEAR	3-Year Average
	Men	Women	TOTAL	Men	Women	TOTAL	Men	Women	TOTAL		
<b>Undergraduate</b>											
Continuing	3,133	3,656	6,789	2,851	3,407	6,258	2,637	3,081	5,718	91.4	6,255
First Time in College after HS Graduation <sup>2</sup>	811	973	1,784	717	869	1,586	691	871	1,562	98.5	1,644
Former Transfer	14	24	38	12	33	45	10	28	38	84.4	40
High School (CCP + Early College)	491	813	1,304	388	679	1,067	446	649	1,095	102.6	1,155
New Transfer	169	213	382	137	205	342	127	189	316	92.4	347
Non-Matriculation	3	4	7	6	3	9	3	5	8	88.9	8
Readmitted (Former YSU)	64	68	132	62	69	131	69	100	169	129.0	144
Reinstated	16	15	31	0	1	1	0	0	0	N/A	11
Transient & Former Transient	1	2	3	2	6	8	3	9	12	150.0	8
Special	0	0	0	0	0	0	0	2	2	N/A	1
<b>Total Undergraduates</b>	<b>4,702</b>	<b>5,768</b>	<b>10,470</b>	<b>4,175</b>	<b>5,272</b>	<b>9,447</b>	<b>3,986</b>	<b>4,934</b>	<b>8,920</b>	<b>94.4</b>	<b>9,612</b>
<b>Graduate</b>											
Continuing	309	542	851	446	872	1,318	541	971	1,512	114.7	1,227
First Time Graduate**	154	272	426	172	319	491	249	292	541	110.2	486
Non-Matriculation Graduate	6	18	24	11	16	27	21	46	67	248.1	39
Readmitted (Former YSU-Grad)	3	9	12	3	4	7	15	13	28	400.0	16
Readmitted Non Matric-Grad	1	3	4	2	4	6	0	3	3	50.0	4
Readmitted (Former YSU)	1	0	1	0	2	2	1	0	1	50.0	1
<b>Total Graduates</b>	<b>474</b>	<b>844</b>	<b>1,318</b>	<b>634</b>	<b>1,217</b>	<b>1,851</b>	<b>827</b>	<b>1,325</b>	<b>2,152</b>	<b>116.3</b>	<b>1,774</b>
<b>Grand Total</b>	<b>5,176</b>	<b>6,612</b>	<b>11,788</b>	<b>4,809</b>	<b>6,489</b>	<b>11,298</b>	<b>4,813</b>	<b>6,259</b>	<b>11,072</b>	<b>98.0</b>	<b>11,386</b>

<sup>2</sup> First Time in College after HS Graduation in this section reflects the admission status of the student and includes degree seeking and non-degree students.

\*\*First Time Graduate reflects new graduate students, as well as graduate students who changed majors, or were required to re-apply for admission to Graduate School after an absence.

**SPECIAL POPULATIONS Headcount**

	F a l l 2 0 2 0			F a l l 2 0 2 1			F a l l 2 0 2 2			% PREVIOUS YEAR	3-Year Average
	Men	Women	TOTAL	Men	Women	TOTAL	Men	Women	TOTAL		
Academic Online Partnerships	127	273	400	331	690	1,021	390	781	1,171	114.7	864
Youngstown Online Programs	23	29	52	3	2	5	1	1	2	40.0	20
College Credit Plus	408	652	1,060	303	500	803	376	506	882	109.8	915
Early College	83	161	244	85	179	264	70	143	213	80.7	240
First-Generation Undergraduates	1,855	2,664	4,519	1,788	2,641	4,429	1,758	2,502	4,260	96.2	4,403
Honors/Scholars	555	723	1,278	505	664	1,169	552	692	1,244	106.4	1,230
Study Abroad (Full Term)	0	0	0	0	0	0	2	4	6	N/A	2
Under 25 Years Old (excluding HS stdts)	3,814	4,505	8,319	3,542	4,308	7,850	3,414	4,089	7,503	95.6	7,891
25 Years of Age or Older	871	1,294	2,165	879	1,502	2,381	953	1,519	2,472	103.8	2,339

**YOUNGSTOWN STATE UNIVERSITY**  
**PRELIMINARY ENROLLMENT SUMMARY**  
**14TH DAY**

**RACIAL/ETHNIC BACKGROUND**

	F a l l 2 0 2 0			F a l l 2 0 2 1			F a l l 2 0 2 2			% PREVIOUS YEAR	3-Year Average
	Men	Women	TOTAL	Men	Women	TOTAL	Men	Women	TOTAL		
American Indian/Alaskan Native	3	14	17	4	11	15	6	9	15	100.0	16
Asian	70	87	157	69	87	156	77	96	173	110.9	162
Black/African American	386	641	1,027	343	598	941	318	578	896	95.2	955
Hawaiian/Pacific Islander	3	3	6	0	3	3	1	5	6	200.0	5
Hispanic/Latinx	198	326	524	220	295	515	207	290	497	96.5	512
<b>Minorities</b>	<b>660</b>	<b>1,071</b>	<b>1,731</b>	<b>636</b>	<b>994</b>	<b>1,630</b>	<b>609</b>	<b>978</b>	<b>1,587</b>	<b>97.4</b>	<b>1,649</b>
White	3,923	4,907	8,830	3,632	4,907	8,539	3,532	4,617	8,149	95.4	8,506
Multi-Racial	179	251	430	155	229	384	146	221	367	95.6	394
International	206	133	339	189	151	340	311	250	561	165.0	413
Unspecified	208	250	458	197	208	405	215	193	408	100.7	424
<b>TOTAL</b>	<b>5,176</b>	<b>6,612</b>	<b>11,788</b>	<b>4,809</b>	<b>6,489</b>	<b>11,298</b>	<b>4,813</b>	<b>6,259</b>	<b>11,072</b>	<b>98.0</b>	<b>11,386</b>

Due to minor changes in the permanent records system, the above distribution may vary slightly from distributions reported elsewhere.  
 International students with Permanent Resident, Refugee, or Political Asylum visas are listed under appropriate racial/ethnic background for term specified.

**HEADCOUNT AND FTE ENROLLMENT - Fall Terms**

YEAR	Total Headcount	Y S U ' s F T E			FTE % OF HEADCOUNT
		Undergrad	Graduate	Total	
2014	12,551	9,499	+ 650	= 10,149	80.9
2015	12,471	9,342	+ 692	= 10,034	80.5
2016	12,756	9,640	+ 749	= 10,389	81.4
2017	12,644	9,722	+ 710	= 10,432	82.5
2018	12,696	9,901	+ 665	= 10,566	83.2
2019	12,155	9,519	+ 666	= 10,185	83.8
2020	11,788	8,975	+ 764	= 9,739	82.6
2021	11,298	8,052	+ 979	= 9,031	79.9
2022	11,072	7,568	+ 1,105	= 8,673	78.3

YSU's Full-Time-Equivalent (FTE) = Student credit hours by rank of student (undergraduate vs. graduate) divided by 15.

**SUBSIDY-MODEL FTE STATISTICS**

Fall 2022

ODHE Full-Time Equivalent (FTE) is based on completed course credit hours divided by 30\*\*

<b>Beeghly College of Lib Arts, Soc Sci &amp; Educ.</b>	415.4	497.7	263.1	43.5	<b>1219.7</b>
<b>Bitonte College of Health &amp; Human Svc.</b>	0.4	378.2	449.1	23.4	<b>851.1</b>
<b>Cliffe College of Creative Arts</b>	228.0	6.6	-	-	<b>234.6</b>
<b>Science, Technology, Engineering &amp; Math</b>	-	46.2	1175.4	1.4	<b>1223.0</b>
<b>Sokolov Honors College</b>	5.8	14.7	-	-	<b>20.5</b>
<b>Williamson College of Business Administration</b>	180.3	546.3	12.5	-	<b>739.1</b>
<b>Student Success</b>	-	48.5	-	-	<b>48.5</b>
<b>TOTAL</b>	<b>829.9</b>	<b>1538.2</b>	<b>1900.1</b>	<b>68.3</b>	<b>4336.5</b>

Subsidy eligibility is based on the award of academic credit and is unable to be determined as of the publication of this document

\*\* (ODHE) Ohio Department of Higher Education's Subsidy-Based Full-Time-Equivalent (FTE) = Student credit hours divided by 30 for institutions with semester academic calendars.

**FTE BY STUDENT LEVEL**

**Student Revenue Category**

<b>Instructional Fee, Undergraduate<sup>1</sup></b>	8,452.6	7,666.1	7,177.0
<b>Instructional Fee, Graduate</b>	626.2	815.4	907.3
<b>Instructional Fee, Doctoral</b>	138.2	163.3	197.8
<b>Penguin Tuition Promise<sup>1</sup> 2018-19</b>	1,871.7	1,457.9	626.3
<b>Penguin Tuition Promise<sup>1</sup> 2019-20</b>	2,044.0	1,642.9	1,245.7
<b>Penguin Tuition Promise<sup>1</sup> 2020-21</b>	2,195.9	1,823.1	1,492.3
<b>Penguin Tuition Promise<sup>1</sup> 2021-22</b>	N/A	1,887.1	1,704.4
<b>Penguin Tuition Promise<sup>1</sup> 2022-23</b>	N/A	N/A	1,830.3
<b>College Credit Plus (Total)<sup>2</sup></b>	396.7	260.1	290.1
<b>Youngstown Early College</b>	124.9	125.1	100.8
<b>AOP Undergraduate Nursing</b>	39.8	42.4	40.9
<b>AOP Graduate Education</b>	76.3	121.4	137.7
<b>AOP Graduate MBA</b>	69.8	194.8	215.4
<b>AOP Graduate Nursing</b>	N/A	73.6	105.7
<b>YAP Undergraduate Nursing</b>	0.6	0.0	0.0
<b>YAP Graduate Education</b>	3.3	0.0	0.4
<b>YAP Graduate MBA</b>	15.8	1.8	0.4

Fall Term		
2020	2021	2022
8,452.6	7,666.1	7,177.0
626.2	815.4	907.3
138.2	163.3	197.8
1,871.7	1,457.9	626.3
2,044.0	1,642.9	1,245.7
2,195.9	1,823.1	1,492.3
N/A	1,887.1	1,704.4
N/A	N/A	1,830.3
396.7	260.1	290.1
124.9	125.1	100.8
39.8	42.4	40.9
76.3	121.4	137.7
69.8	194.8	215.4
N/A	73.6	105.7
0.6	0.0	0.0
3.3	0.0	0.4
15.8	1.8	0.4

**Surcharges**

<b>Affordable Tuition Advantage<sup>3</sup>-Undergraduate</b>	1,078.8	1,481.6	1,485.0
<b>Affordable Tuition Advantage<sup>3</sup>-Graduate</b>	37.8	99.9	163.0
<b>Affordable Tuition Advantage<sup>3</sup>-Doctoral</b>	8.1	21.5	23.9
<b>Nonregional<sup>4</sup>-Undergraduate</b>	529.1	N/A	N/A
<b>Nonregional<sup>4</sup>-Graduate</b>	52.7	N/A	N/A
<b>Nonregional<sup>4</sup>-Doctoral</b>	10.0	N/A	N/A
<b>Distance Learning<sup>5</sup>-Undergraduate</b>	3.0	2.7	3.7
<b>Distance Learning<sup>5</sup>-Graduate</b>	4.8	6.2	3.0
<b>Non-Resident Graduate w/Undergrad degree Ohio</b>	N/A	25.7	32.9
<b>MFA or MPH Non Resident Graduate</b>	2.2	2.4	2.0
<b>AOP Non Resident-Undergraduate</b>	8.6	8.7	8.8
<b>AOP Non Resident-Graduate</b>	22.4	80.7	91.9
<b>YAP Non Resident-Graduate</b>	3.0	0.4	0.4
<b>Saudi Arabia Cultural Mission<sup>6</sup></b>	37.3	22.2	11.5

Fall Term		
2020	2021	2022
1,078.8	1,481.6	1,485.0
37.8	99.9	163.0
8.1	21.5	23.9
529.1	N/A	N/A
52.7	N/A	N/A
10.0	N/A	N/A
3.0	2.7	3.7
4.8	6.2	3.0
N/A	25.7	32.9
2.2	2.4	2.0
8.6	8.7	8.8
22.4	80.7	91.9
3.0	0.4	0.4
37.3	22.2	11.5

Surcharges - fees in addition to student revenue applicable for various classifications/categories.

**Self-Pay College Credit Plus<sup>2</sup>**

Fall Term		
2020	2021	2022
2.3	0.7	1.1

<sup>1</sup>Penguin Tuition Promise students also pay Instructional and General Fees.

<sup>2</sup>College Credit Plus (Total) includes FTE for students whose tuition is paid by the state as well as FTE for specific course credit hours paid for by the student.

<sup>3</sup>Prior to Fall 2021, Affordable Tuition Advantage a surcharge paid by students who are not legal residents of Ohio. This area includes the counties of: Allegheny, Armstrong, Beaver, Butler, Clarion, Crawford, Erie, Fayette, Forest, Greene, Indiana, Jefferson, Lawrence, Mercer, Venango, Warren, Washington, Westmoreland, Pennsylvania; Chautaugua, New York; Brooke, Hancock, Marshall, and Ohio, West Virginia. Effective Fall 2021, the Affordable Tuition Advantage will be assessed on all non-Ohio resident students.

<sup>4</sup>Prior to Fall 2021, Nonregional is a surcharge paid by students who are not legal residents of Ohio and who do not reside in one of the counties listed in the Affordable Tuition Advantage area. Effective Fall 2021, the Affordable Tuition Advantage will be assessed on all non-Ohio resident students.

<sup>5</sup>Distance Learning is a surcharge paid by students who are not legal residents of Ohio and who are enrolled in a Distance Learning program.

<sup>6</sup>Saudi Arabia Cultural Mission students receive a reduction per credit hour.

AOP - Academic Online Partnerships  
 YAP - Youngstown Online Programs

**RESOLUTION RELATED TO THE YSU FUTURE STATE: CRAFTING A SUSTAINABLE FUTURE IN  
CONSIDERATION OF THE FALL 2021 14<sup>TH</sup>-DAY ENROLLMENT REPORT, ENROLLMENT TRENDS, AND OTHER  
PERTINENT FACTORS**

**WHEREAS**, after significant campus involvement in the process, the Board of Trustees in June 2020 endorsed the Plan for Strategic Actions to Take Charge of Our Future (“Plan”); and

**WHEREAS**, the Board passed a resolution related to Academic Program Review implemented as Academic Program Enhancement and Effectiveness that now include curricular efficiencies and included in the Plan expectations associated with such a process with results that were reported to and approved by the Board in June and September, 2021, respectively, requiring taking the steps necessary to finalize the sunseting of such programs; and

**WHEREAS**, the Board passed a resolution related to implementing student success support structures and included in the Plan expectations of implementing such support structures some of which have now occurred including the Student Success Seminar and the enhancement of the organization of student academic advising; and

**WHEREAS**, the Board passed a resolution related to aligning resources with strategic priorities and included in the Plan expectations that supported technology investments to enhance student recruiting for enrollment and student retention, persistence, progress and completion some of which have now occurred including implementation of Penguin Pass (degree audit technology) and CRMAdvise (holistic student advising technology) anticipating there will be an increase in persistence, progress and completion; and

**WHEREAS**, while academic excellence and student success are foundational to the success of the university, athletics and the physical environment are important assets associated with the viability and vitality of the university as previously resolved during the development of the Plan; and



**WHEREAS**, the Board endorsed a Resolution\* related to resources stating that, "...investment in ongoing commitments to personnel and the physical environment, without net new revenue, requires the reallocation of current resources, meaning if compensation increases, there will be cascading implications..."; and

**WHEREAS**, the Board endorsed a Voluntary Separation and Retirement Program, implemented this year pursuant to article 13.2b of the OEA collective bargaining agreement, that was designed to support institutional sustainable prosperity, a primary Board responsibility; and

**WHEREAS**, the Board has engaged the YSU community in three Future State Conversations during 2020-2021 and earlier today held a BOT Future State ADVANCE considering a sustainable future related to the inextricable interactions of academic vitality, enrollment, and sustainability; and

**WHEREAS**, the Board considered a Report regarding the [14<sup>th</sup>-day Enrollment for Fall 2021](#) (attached), identified in Article 13 of the [Collective Bargaining Agreement](#) with the Youngstown State University Chapter of the Ohio Education Association.

**NOW THEREFORE, BE IT RESOLVED** that in consideration of the 14<sup>th</sup>-day Enrollment Report for Fall 2021, the trend for decreasing enrollment in previous years and potentially, without significant successful actions to reduce the decline, similar or worse enrollment declines in future years, and because enrollment is related to the academic portfolio both of which directly influence sustainable prosperity of Youngstown State University, this Board of Trustees expects the following:

- Continued rigorous quality improvement and academic portfolio optimization via shared governance as has been exemplified which will continue via the Academic Program Enhancement & Effectiveness Initiative and the Curricular Effectiveness Initiative anticipating that:
  - recommendations for grow+, grow, sustain, adjust and sunset are demonstrably clearly aligned with enrollment optimization as informed by the interactions of mission, market, and margin;
  - there are significant reductions in small class sections, the numbers of course offerings are reduced to only the number essential for student progress and degree completion, thereby optimizing the interactions between class section number and class section fill-rates;



- the percent of undergraduate student credit hours of instruction taught by full-time faculty is increased to enhance the quality of the student experience via steps including but not limited to reducing the amount of time faculty are released from instruction;
- the numbers of majors relative to the faculty full-time equivalent in consideration of substantially reducing part-time instruction is achieved;
- the economic viability of maintaining all of the undergraduate and graduate level majors and degrees that currently exist is directly aligned with optimizing the academic portfolio and quality of instruction;
- the opportunities associated offering additional online courses and programs are thoroughly assessed and implemented as deemed appropriate; and
- While there is no net new revenue, there continues to be investment via disinvestment in faculty positions of the most appropriate classification to support the vitality of the optimized academic portfolio including:
  - engagement in supporting faculty via the Institute for Teaching and Learning to enhance the quality of teaching for enhanced learning including attention to the diversity, equity and inclusion objectives;
  - academic leadership is provided development opportunities to improve the effectiveness of each academic program; and
- The academic priorities are aligned with achieving distinction such as:
  - the emergence of clearly identified areas of intentional research distinction with the scholarship of teaching as a distinction; and
  - a redesigned transformative “general” educational experience that has the potential to be a model of distinction to be implemented no later than fall 2023 including minimizing and preferably eliminating stranded credit hours; and
- Continued diligence to align the activities of the academic support areas to advance the Plan and the academic agenda by:
  - refining and implementing mission, attributes and quality of service objectives;
  - engaging in an assessment of the strategic distribution of resources across the academic support areas to optimize achieving the goals and objectives of the Plan, using already implemented processes for strategic position allocation as well as data already available to assess such resource allocations; and

**BE IT FURTHER RESOLVED THAT:**

- Progress will be reported to the Board of Trustees at each subsequent meeting, including an update on such matters by the chair of the Academic Senate, until it is determined that such updates are no longer essential;



- At the December 2021 meeting of the Board of Trustees there will be more clearly identified objectives and timeframes for achieving academic program effectiveness and curricular efficiency;
- The president, provost and administration have the authority and full support of the Board to effectively implement these expectations considering the Board Resolution on Shared Governance as intersecting with administration's responsibilities associated with consequential decision-making;
- To Take Charge of Our Future the academic leadership of each college will collaborate with the Office of Academic Affairs and at minimum, convene college-wide sessions of academic program faculty at least once per semester to implement the Plan; and

**BE IT ALSO RESOLVED THAT:**

- The Board expresses its confidence that faculty and staff engagement activating these expectations will impact and influence the objectives to be achieved: sustainable prosperity that is directly related to academic vitality that realizes optimal enrollment preserving fiscal integrity without which significant adjustments to the academic portfolio will be made.

Board of Trustees  
October 25, 2021  
2021 - 23



**RESOLUTION TO CREATE THE DIVISION OF WORKFORCE  
EDUCATION AND INNOVATION**

**WHEREAS**, the Division of Workforce Education and Innovation has been created to develop and engage external industry partnerships, non-profit and local and state and federal organizations to expand workforce training initiatives; and

**WHEREAS**, the Division of Workforce Education and Innovation is focusing on strategic and operational alignment of the YSU Excellence Training Center, the online Skills Accelerator workforce education offerings and strategic workforce programs that are focused on training in areas of advanced manufacturing, robotics, automation, information technology and professional business skills; and

**WHEREAS**, this is an important strategic initiative related to Collective Impact with the Community as outlined in the Plan for Strategic Actions to Take Charge of Our Futures; and

**WHEREAS**, Youngstown State University is positioned to be in the pathway for educational advancement and career success to support regional sustainable prosperity.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Trustees of Youngstown State University does support the creation of the externally funded Division of Workforce Education and Innovation.

**Board of Trustees Meeting  
September 21, 2022  
YR 2023-**