TO: University Senate

FROM: Barbara Polivka, Chair, Senate Rules Committee

DATE: 3/4/2010

RE: Proposal to change faculty rules to update the title of the Vice President for Student Life

WHEREAS the University Senate rules committee is charged with ensuring that all published rules and bylaws within the senate's purview are up to date, and

WHEREAS the Vice President for Student Affairs is now officially referred to as the Vice President for Student Life, and

WHEREAS the proposed changes were approved by the rules committee on February 23, 2010;

NOW THEREFORE BE IT RESOLVED that the University Senate approves the proposed changes to Faculty Rules regarding the title of the Vice President for Student Life, and respectfully requests the concurrence of the Board of Trustees, said proposal to be effective upon approval by the Board of Trustees.

3335-5-48.4 Council on student affairs.
(A) Membership.
   The council on student affairs shall consist of twenty-two members.

   (3) Three staff members, appointed by the vice president for student affairs life. The term of service begins in summer quarter.
   (4) Three administrators, non-voting.
      (a) The vice president for student affairs life or designee.
      (b) The associate vice president for student affairs life for planning and student development.

(B) Duties and responsibilities.
   (3) Advise the vice president for student affairs life regarding the programs, services, and activities of the division.
   (4) Establish study groups, committees, and other mechanisms as needed to explore issues affecting the quality of student life and make recommendations regarding these issues to the vice president for student affairs life, the senate, and other appropriate groups.

3335-5-48.7 Committee on academic misconduct.
(A) Membership.
   The committee on academic misconduct shall consist of thirty-four members. Eighteen regular tenure-track faculty. Faculty members are eligible for reappointment, but may not serve more than two consecutive terms. (2) Fourteen students.
   (3) Two administrators.
      (a) The vice president for student affairs life or designee, non-voting.

3335-5-48.16 Diversity committee
(B) Duties and responsibilities.
   (3) Advise the president, the executive vice president and provost, the associate vice president for human resources, and the vice president for student affairs life about the institutional climate, policies, and priorities for ensuring justice, fairness, and equitable treatment to all members of the university
3335-9-08 Medical examination and enrollment denial for medical reasons.

(D) If a student has been placed on a hold from enrollment, or otherwise experienced modification of enrollment status by reason of health conditions enumerated in paragraph (B) of this rule, the student may petition for revision of that status through the office of the vice president for student affairs life. (1) Such request must be accompanied by supporting documentation that the conditions for revision of enrollment status have been fulfilled, and/or that the health condition has changed sufficiently to make revision appropriate. Upon receipt of such request, the vice president for student affairs life will evaluate the evidence, or convene the case consultation committee (composed of representatives of counseling and consultation service, university health service, the student's academic unit, and other academic/administrative units as appropriate) for that purpose, and decide to:

3335-11-01 General discipline.

(A) The president shall have the final responsibility and authority for the discipline of all students of the university. This responsibility and authority may be delegated by the president to the vice president for student affairs life (see paragraph (H) of rule 3335-1-03 of the Administrative Code).

3335-11-02.1 Hearing officers and panels.

(4) Forwarding completed cases to the vice president for student affairs life for administrative implementation in accordance with their final determination by the chief hearing officer

3335-11-03 Organized activities.

(A) The vice president for student affairs life shall promulgate regulations governing all organized activities which are university connected and in which students or the spouses of students participate.

3335-11-04 Eligibility of students.

(A) The vice president for student affairs life shall promulgate regulations governing the eligibility of students for participation in all organized activities. (See rule 3335-11-03 of the Administrative Code.)

3335-11-05 Promulgation of regulations.

Before promulgating the regulations authorized under rules 3335-11-03 and 3335-11-04 of the Administrative Code and before amending such regulations after they have been promulgated, the vice president for student affairs life shall obtain the recommendation of the council on student affairs. (See rule 3335-5-48.4 of the Administrative Code.) (B/T 6/1/2001)

3335-11-08 Director.

The director shall be the chief administrator of the Ohio union. The director shall have the general administrative responsibility for the programs and financial affairs of the union. The director shall be responsible to an assistant vice president for student affairs life and report annually to the council on student affairs. (B/T 9/7/59, B/T 12/3/71, B/T 7/11/75, B/T 7/12/91, B/T 4/2/96, B/T 6/29/2001)

3335-11-09 The Ohio union council.

The Ohio union council shall consist of seventeen members chosen as follows:

(3) Staff members.

(c) One staff member from across the university shall be appointed by the vice president for student affairs life under procedures established and documented by the council. Term of service shall be two years.
3335-11-10 University recreational sports committee.
(A) Membership.
(4) Seven administrators or their designees, non-voting:
(a) The vice president for student affairs life.

3335-23-16 University judicial panel.
The university judicial panel is responsible for adjudicating allegations of non-academic misconduct referred by the director of student judicial affairs, except for cases involving violations of professional college codes. The panel consists of:
(A) Fifteen faculty and/or administrative members recommended by the director of student judicial affairs to the vice president for student affairs life for three-year terms which begin with the autumn quarter;

3335-23-17 General guidelines for sanctions.
(C) Conditions of suspension and dismissal.
A student who has been dismissed or suspended from the university shall be denied all privileges afforded a student and shall be required to vacate campus at a time determined by the hearing officer or panel. In addition, after vacating campus property, a suspended or dismissed student may not enter upon campus and/or other university property at any time, for any purpose, in the absence of express written permission from the vice president for student affairs life or designee. To seek such permission, a suspended or dismissed student must file a written petition to the vice president for student affairs life for entrance to the campus for a limited, specified purpose or to have the terms of this condition modified or reduced.

3335-23-18 Appellate process.
(2) Appeals from a judicial affairs hearing officer’s decision or from the university judicial panel’s decision will be submitted for decision to the vice president for student affairs life or designee.

3335-23-20 Interim suspension.
When the vice president for student affairs life or designee has reasonable cause to believe that the student's presence on university premises or at a university-related or registered student organization activity poses a significant risk of substantial harm to the health or safety of others or to property, the student may be immediately suspended from all or any portion of university premises, university-related activities or registered student organization activities, and is not permitted to participate in, or complete academic coursework. This temporary suspension will be confirmed by a written statement and shall remain in effect until the conclusion of a full hearing or administrative decision, without undue delay, in accordance with the rules of the Ohio state university. The student may, within three working days of the imposition of the suspension, petition the vice president for student affairs life for reinstatement. The petition must be in writing, and must include supporting documentation or evidence that the student does not pose, or no longer poses, a significant risk of substantial harm to the health or safety of others or to property. A hearing on such petition will be conducted without undue delay by the vice president for student affairs life or designee. (B/T 3/2/2001, B/T 7/11/2003)

3335-23-21 Administrative disenrollment and other restrictions.
(A) A student may be disenrolled from the university; prohibited from all or any portion of university premises, university-related activities or registered student organization activities; and/or permitted to remain only under specified conditions when the vice president for student affairs life or designee finds that there is clear and convincing evidence that:
(1) The student’s continued presence poses a significant risk of substantial harm to the health or safety of themselves, others, or to property; or
(2) The student, as a direct result of an apparent health condition, is engaged in substantial, continuing disruption of teaching, learning, research, administration or other university-related activities.
Before making such a determination, the vice president for student affairs or designee shall notify the student in writing of the reasons that disenrollment or other action is being considered, provide the student with an opportunity to respond, and consult with appropriate university personnel. The vice president for student affairs or designee may also consult with any other persons whom the vice president for student affairs or designee deems appropriate under the circumstances.

(B) In those cases under paragraph (A)(1) of this rule in which it appears that the risk posed by the student is a result of a health condition or a disability as defined by the Americans with Disabilities Act, and in all cases under paragraph (A)(2) of this rule, the vice president for student affairs or designee shall also determine whether the risk or disruption can be eliminated or sufficiently reduced through reasonable accommodation and, if so, shall take appropriate steps to ensure that accommodation is made. The vice president for student affairs or designee may request the student to undergo an appropriate examination, as specified by the vice president for student affairs or designee, to determine whether any such condition exists and whether any such accommodation is possible. If the student fails to undergo such an examination, and if the other available evidence supports a finding under either paragraph (A)(1) or (A)(2) of this rule, the vice president for student affairs or designee shall, to the extent reasonably possible, take the least restrictive measure or combination of measures necessary to resolve the risk or disruption.

A student who has been disenrolled; prohibited from university premises, university-related activities or registered student organization activities; or permitted to remain only under specified conditions may petition the vice president for student affairs for revision of that status. The petition must include supporting documentation or evidence that:

(1) The conditions found to have existed under paragraph (A)(1) or (A)(2) of this rule no longer exist and will not recur, and
(2) The student meets all normal and appropriate standards for admission and enrollment in any academic unit in which the student seeks to re-enroll.

Upon receipt of such a petition, the vice president for student affairs or designee shall evaluate the evidence and may consult with the student, any appropriate university personnel, and any other persons whom the vice president for student affairs or designee deems appropriate. The vice president for student affairs or designee may deny the petition, grant the petition in whole or in part under specified conditions, or grant the petition in whole or in part without condition. In the event of a negative determination by the vice president of student affairs, the student may request to have the decision reviewed by the executive vice president and provost. (B/T 3/2/2001, B/T 12/6/2001)

3335-23-22 Authority section.
The bylaws of the university board of trustees and rules of the university faculty provide that the university president shall have the final responsibility and authority for the discipline of all students of the university (see paragraph (A) of rule 3335-11-01 of the Administrative Code). This responsibility and authority has been delegated by the president to the vice president for student affairs, whose office is also charged with responsibility for promulgation of rules governing student conduct (see paragraph (H) of rule 3335-1-03 of the Administrative Code).

The Ohio state university code of student conduct is an official publication of the university board of trustees. All petitions for revision and amendment of this code of student conduct should be submitted through the office of the vice president for student affairs. Proposed revisions to the code shall be reviewed, in draft form, by the office of the president, the office of academic affairs, and the steering committee of the university senate before being presented for approval to the university senate by the council on student affairs. No revision shall become effective unless approved by the university board of trustees and until printed notice of such revisions is made available to students. (B/T 3/2/2001)