3335-3-15 Chief information officer.

Subject to the direction of the executive vice president and provost, the principal duties of the chief information officer shall be the leadership throughout the university with respect to information technology. These duties shall include but not necessarily be limited to: management and oversight of the office of information technology; oversight of strategic visioning and planning with respect to information technology, including planning to leverage technology to better benefit and enhance the academic environment, and the implementation of action plans to advance IT throughout the university; leadership in transitioning the university from decentralized IT governance, infrastructure, and operational environment to a more unified and balanced approach; working collaboratively with all university IT constituencies to develop and implement integrated and appropriately placed standards, policies, and procedures; leadership to ensure that the university has world-class security with respect to data, infrastructure, and servers; and other projects and duties that may be assigned from time to time by the executive vice president and provost. (B/T 7/11/2008)

3335-3-16 University Treasurer.

Subject to the direction of the senior vice president for business and finance and chief financial officer, the principal duties of the university treasurer shall be as follows:

(A) Receive such moneys as, in accordance with law, are not to be deposited with the state treasurer;

(B) Have charge and custody of, and be responsible for all university funds, securities, and other financial instruments of the university, including investment of operating and agency funds in accordance with the investment policy approved by the board of trustees; receive and give receipts for moneys due and payable to the university from any sources whatsoever; deposit all such moneys in the name of the university in such banks, trust companies or other depositories of the university; be responsible for the accuracy of the amounts of and cause to be preserved proper vouchers for all moneys disbursed;

(C) Keep, or cause to be kept, in the treasurer's office at the university, correct records of the financial affairs of the university, and exhibit such records to any member of the board, the president, or the senior vice president for business and finance and chief financial officer upon request at such office;

(D) In accordance with section 3335.05 of the Ohio Revised Code, give bond, payable to the state of Ohio for the use of the university, in such sum as the board shall determine:

(1) For the safe keeping of all university funds,

(2) For the payment of same in accordance with the rules of the board, and

(3) For the faithful discharge of his or her duties as treasurer.

Such bond shall be signed by a surety company authorized to do business in the state of Ohio, and the premium thereon shall be paid by the university. Such bond shall be approved by the attorney general and filed with the secretary of state.

(E) Perform such other duties as from time to time may be assigned to him or her by the senior vice president for business and finance and chief financial officer. (B/T 7/11/2008)
3335-3-18 Director of libraries.

(A) The director of libraries shall be appointed by the board of trustees upon nomination of the 
    president. Before making this nomination the president shall confer with the executive vice 
    president and provost who, in turn, shall confer with representatives of the faculty of the 
    university libraries and with the council on libraries and information technology.

(B) The director of libraries shall have the responsibility and authority for administering the 
    university libraries under the jurisdiction of that office and the university archives. In the 
    discharge of library duties the director shall be guided by the policies established by the 
    council on libraries and information technology (see rule 3335-5-48.2 of the Administrative 
    Code). The director shall report to the president through the executive vice president and 
    provost.

(C) Without limiting the generality of the foregoing, the director shall evaluate continuously the 
    administrative and operating practices of the university libraries under the jurisdiction of that 
    office and the university archives, and lead in the study of methods in improving them; 
    recommend appointments, promotions, and dismissals under the rules of the university; and 
    prepare for the approval of the executive vice president and provost's annual 
    recommendations for the budgets for personnel and for archives and library materials. (B/T 

3335-3-19 University registrar.

Subject to the direction of the executive vice president and provost, the principal duties of the 
university registrar shall be the supervision of the details of registration, records, and scheduling 
which shall include: distribution of registration forms; distribution of approved schedules; fee 
assessments and adjustments; record of fee payments; maintenance of current quarter, 
semester, or session schedules; maintenance of home or permanent addresses, name and 
address of person(s) to be notified in case of emergency, local addresses and the respective 
telephone numbers of all currently enrolled students; the posting of quarters, semesters, and 
sessions of attendance; the posting of all courses and respective marks; recording of all 
probations and dismissals; recording of withdrawals; recording of all degrees earned and dates; 
recording of all past names and other demographic data; the distribution of the official student 
records to include the proper confidentiality safeguards; scheduling of classroom space, classes, 
and final examinations; offering placement testing, admission testing, test scoring services, a 
mechanism for student evaluation of teaching, and coordination of the credit by examination 
programs; other routine duties associated with the registration, records and scheduling of 
students; and special projects and duties that may be assigned from time to time by the executive 
vice president and provost. (B/T 7/12/91, B/T 4/4/97, B/T 12/4/98)

3335-3-20 Assistant vice president of undergraduate admissions and first year experience.

Subject to the direction of the executive vice president and provost, the principal duties of the 
assistant vice president of undergraduate admissions and first year experience shall be as 
follows:

(A) Direct the administration of admission and financial aid policies duly established by the 
    appropriate faculty bodies.

    (1) Exceptions to such policies shall be made only in accordance with recommendations of 
        the dean or the director of the college, school, or division involved.

    (2) A special student not seeking a degree must be approved for admission by the dean or 
        the director of the college, school, or division concerned.

(B) Receive, evaluate, and maintain all certificates and transcripts presented by or on behalf of 
    applicants for admission to the university or for credit in any course. Receive, evaluate and 
    maintain all student financial aid applications.
(C) Issue all official notices of admission to applicants and certify the validity of transfer credits to the director of registration and records and to the secretary of the college, school, or division involved. Issue notices of financial aid to students.

(D) Transfer students upon request from one college, school, or division in the university to another, but only in accordance with policies established by colleges, schools, or divisions involved.

(E) Conduct the official correspondence of the university on all matters connected with the admission of students, and student financial aid.

(F) Perform other routine duties associated with the admission process of students.

(G) Administer all aspects of student financial aid, including scholarships, loans, grants, and work-study.

(H) Engage in special projects or duties as may be assigned from time to time by the executive vice president and provost. (B/T 7/12/91, B/T 2/4/93, B/T 4/4/97, B/T 12/4/98)

3335-3-21 Assistant vice president and director of athletics.

(A) The assistant vice president and director of athletics shall be responsible to the president and shall be appointed under the procedures outlined in paragraph (R) of rule 3335-1-03 of the Administrative Code. The athletic council (see rule 3335-5-48.5 of the Administrative Code) shall also be consulted.

(B) Under policies established by the athletic council, the assistant vice president and director of athletics shall administer the intercollegiate athletics program subject to the direction of the president and the senior vice president and special assistant to the president.

(C) The athletic physical plant shall be under the concurrent jurisdiction of the department of athletics and the office of physical facilities. Athletic physical plant employees shall be under the jurisdiction of the department of athletics, which in consultation with the office of physical facilities shall be responsible for all normal maintenance and repairs. Major remodeling, renovation, construction, and other capital improvements shall be undertaken only with the prior approval of, and under the direction of, the office of physical facilities. (B/T 12/4/98, B/T 3/5/2003, 7/11/2008)

Presidential Committee

3335-3-22 Council of deans.

(A) The executive vice president and provost, the deans of the colleges, the executive dean of the college of arts and sciences, the senior vice president for business and finance and chief financial officer, the vice president for research, the dean of the graduate school, the deans and directors of the regional campuses, the dean for undergraduate education, and the director of libraries shall comprise the council of deans of the university. The executive vice president and provost shall be chair of the council.


Establishment and Organization of Regional Campuses, Colleges, Schools, Departments, and Academic Centers

3335-3-25 Organization of the university.
For the purpose of administering the various programs of the university, there shall be established educational and administrative units within the university. All units of the university shall be established, altered, or abolished only on vote of the board of trustees.

Procedures for recommending the establishment, alteration and abolition of educational units shall be promulgated by the university faculty or the university senate and approved by the board of trustees (see rules 3335-3-37 and 3335-5-48.1 of the Administrative Code). Procedures recommending the establishment, alteration and abolition of administrative units shall be promulgated by the president and approved by the board of trustees.

The basic organization of the educational units of the university shall be as established in paragraph (B) of rule 3335-1-05 of the Administrative Code. (B/T 8/1/97, B/T 6/1/2001, B/T 6/7/2005)

Establishment of colleges and graduate school.


Establishment of regional campuses.

There shall be four regional campuses of the university, as established in paragraph (I) of rule 3335-1-05 of the Administrative Code.

The four regional campuses shall be administered separately by their respective deans and directors. However, matters of common concern to the regional campuses shall be coordinated through a coordinating council of regional campus deans and directors. The executive dean for regional campuses, created in rule 3335-3-26.2 of the Administrative Code, shall serve as chair of the council. (B/T 2/1/80, B/T 12/5/86, B/T 5/3/96, B/T 6/7/2005)

Executive dean for regional campuses.

There shall be an executive dean for regional campuses. The executive dean shall be appointed from among the four regional campus deans and directors by the executive vice president and provost in consultation with the president to serve a two-year term and shall be eligible for reappointment.

The executive dean for regional campuses shall report to the executive vice president and provost.

The executive dean for regional campuses shall serve as chair of the coordinating council of regional campus deans and directors (see rule 3335-3-26.1 of the Administrative Code).

The executive dean for regional campuses shall also be responsible for such other matters pertinent to the regional campus which may be designated by the executive vice president and provost. (B/T 12/5/86, B/T 11/2/90, B/T 5/3/96, B/T 4/4/97, B/T 12/4/98, B/T 6/7/2005)

Organization of the graduate school.

The graduate school shall consist of those components established in paragraph (G) of rule 3335-1-05 of the Administrative Code. (B/T 6/7/2005)

Organization of the college of arts and sciences.

For administrative purposes the college of arts and sciences shall be organized into the division of arts and humanities, the division of natural and mathematical sciences, and the division of social and behavioral sciences; each led by a divisional dean, who is appointed by the executive dean of the college of arts and sciences. (B/T 10/11/67, B/T 3/5/71, B/T 3/2/84, B/T 12/5/86, B/T 6/3/94, 2/11/2011)
3335-3-29 Deans of the colleges.

(A) There shall be a dean of each college and an executive dean of the college of arts and sciences who shall be a member of its faculty and the administrative head of the college. Each dean and the executive dean shall be appointed and reappointed by the board of trustees upon nomination of the president. Before making this nomination or recommendation for reappointment, the president shall confer with members of the faculty of the college for which the dean or executive dean is to be appointed and shall give substantial weight to faculty recommendations in reaching a decision. The president shall also consider the recommendations of the chairs of the departments and the directors of the schools in that college.

(B) The major responsibility of the dean of each college and the executive dean of the college of arts and sciences shall be that of providing active leadership in the promotion, direction and support of educational and research activities of the university, in the maintenance of a high level of morale among the faculty, and in the encouragement of the spirit of learning among the students. In addition the dean or the executive dean shall have general administrative responsibility for the program of the college, subject to the approval of the president and the board of trustees. These administrative responsibilities shall include the duty:

1. To preside at meetings of the college faculty and to appoint all college committees unless their membership has been designated by faculty rule or by the college faculty.

2. To approve courses of study for students in his or her college, to warn students who are delinquent in their studies and to recommend appropriate student disciplinary action to the appropriate university disciplinary body or official.

3. To present candidates for degrees to the president on behalf of the college faculty and to serve as a member of the council of deans (see rule 3335-3-22 of the Administrative Code).

4. After consultation with the chairs of the departments and the directors of the schools within the college to make recommendations to the executive vice president and provost concerning the college budget, the appointments to and promotions within the staff and the membership of the college faculty.

(C) The dean and executive dean of the college of arts and sciences is hereby given authority requisite to carrying out the responsibilities of his or her position. The dean and the executive dean may delegate any of his or her responsibility and authority to another member of the faculty of the college. The dean and executive dean shall be a voting member of the faculty of each department.

(D) The usual method of communication between the dean and executive dean of the college of arts and sciences and the president or the board of trustees shall be through the appropriate staff member, then to the president and through the president to the board of trustees. (B/T 4/4/97, B/T 2/6/98, B/T 12/4/98, B/T 9/1/99, B/T 12/2/2005, 2/11/2011)

3335-3-29.1 Dean and director of a regional campus.

(A) There shall be a dean and director of each regional campus who shall be a member of its faculty and the administrative head of the regional campus. The dean and director shall be appointed by the board of trustees upon nomination of the executive vice president and provost in consultation with the president. Before making this nomination, the executive vice president and provost or designee shall confer with the regional campus faculty, the department or school in which the faculty appointment would be made, and shall consider
the recommendations of the deans of the colleges with regular faculty assigned to that campus.

(B) The major responsibility of each regional campus dean and director shall be that of providing active leadership in the promotion, direction, and support of educational activities and research opportunities, in the maintenance of a high level of morale among the faculty, and in the encouragement of the spirit of learning among the students. In addition the dean and director shall have administrative responsibility for the program of the regional campus subject to the approval of the executive vice president and provost or designee, the president, and the board of trustees. These administrative responsibilities shall include the duty:

(1) To preside at meetings of the faculty executive committee and to appoint members to regional campus committees unless the method of selection is determined by the Administrative Code or by the regional campus faculty.

(2) To develop in consultation with the faculty a pattern of administration for the regional campus following the principles set forth in paragraph (C)(2) of rule 3335-3-35 of the Administrative Code.

(3) To communicate to the regional campus community the educational programs, standards, and policies of the campus and the university.

(4) To establish the extent and variety of course offerings on the regional campus in consultation with the executive vice president and provost or designee, the appropriate college deans, department chairs or school directors, and the faculty of the regional campus.

(5) To consult with the appropriate college dean and department chair or school director and to jointly offer employment to prospective faculty members assigned to the campus.

(6) To assist the appropriate college deans, department chairs, and school directors in the annual review of all faculty assigned to the regional campus. This assistance shall include a written evaluation of the faculty member's teaching, research, and service activities on and for the regional campus. The regional campus dean and director shall be consulted when a regional campus faculty member is being considered for promotion and tenure and may suggest such candidates to the appropriate chairs and directors.

(7) To prepare and administer the regional campus budget in consultation with the regional campus faculty budget committee; to consult with the appropriate chair or director regarding faculty salary recommendations; to be responsible for the management, maintenance, and security of the physical plant and capital equipment of the regional campus.

(8) To maintain liaison with community councils and agencies and to garner support of regional campus programs and activities.

(9) To develop, promote, and maintain educational, cultural, and service programs with approval of the appropriate university bodies and administrative officials. The dean and director shall review all such programs periodically.


3335-3-30.1 Dean for undergraduate studies for arts and sciences.
(A) There shall be a dean for undergraduate studies for arts and sciences who shall be a member of the faculty of the arts and sciences charged with implementing policies of the faculty as set forth in paragraphs (E) and (F) of this rule. The dean for undergraduate studies shall be appointed by the board of trustees upon nomination by the senior vice president and provost in consultation with the president. Before making this nomination, the senior vice president and provost shall confer with members of the faculty of the arts and sciences.

(B) The dean for undergraduate studies for arts and sciences shall report to the executive dean for arts and sciences.

(C) The dean for undergraduate studies for arts and sciences shall implement policies of the faculty of the arts and sciences with respect to the following:

(1) Curricula and requirements for "untagged" baccalaureate programs and development of new and useful programs in this area.

(2) Basic education requirements for all undergraduate students.

(3) The retention and further development of curricula assigned specifically for the general education of undergraduate students.

(4) A general honors program for the arts and sciences.

(5) Counseling and record services and attendant procedures.

(6) Coordination of student intercollege transfers involving the arts and sciences.

(D) The dean for undergraduate studies for arts and sciences shall be responsible for the fulfillment and certification of the untagged degree requirements in the arts and sciences.

(E) The dean for undergraduate studies for arts and sciences shall, in cooperation with the dean of university college, be responsible for the coordination of university college counseling and curricular development with that of the arts and sciences. Specifically, the dean for undergraduate studies shall keep university college informed of all changes in curricular requirements and other matters pertaining to academic counseling, and in this manner assist in achieving consistency of counseling in the university college with that in the arts and sciences.

(F) The dean for undergraduate studies for arts and sciences shall be consulted by the deans of the individual colleges on personnel matters relating to faculty primarily engaged in undergraduate instruction.

(G) With the approval of the faculty of the arts and sciences, or its designated representative body and the executive dean for the arts and sciences, the dean for undergraduate studies may appoint committees from the faculty of the arts and sciences to work with him or her in the implementation of those policy areas as outlined in paragraph (C) of this rule. Should there be established a curriculum committee of the faculty of the arts and sciences, the dean for undergraduate studies shall serve as its chair ex officio.

(H) The dean for undergraduate studies for arts and sciences shall also be responsible for such other matters pertinent to the arts and sciences which may be designated by the executive dean for the arts and sciences. (B/T 12/5/86, B/T 11/2/90, B/T 6/3/94, B/T 5/3/96, B/T 4/4/97)

3335-3-31 Dean of the graduate school.

(A) There shall be a dean of the graduate school who shall be the administrative head of the graduate school. The dean shall be appointed by the board of trustees upon nomination of the president. Before making a nomination, the president shall confer with the graduate council.
(B) The dean of the graduate school shall have the same general responsibilities and authorities that pertain to the deans of the several colleges. The dean shall also preside at the meetings of the graduate council and of its executive committee, make recommendations to the council concerning all such matters as are of primary importance in the development of the graduate work of the university, and make recommendations to the executive vice president and provost concerning the budget of the graduate school to provide for the proper maintenance of the school and to assist in the development of graduate work and research programs.

The dean of the graduate school shall present candidates for graduate degrees to the president, serve as a member of the council of deans, and in general, be responsible for the progress of the educational policies and well-being of the school. The dean shall report to the appropriate member of the president's planning cabinet upon the condition and progress of the graduate school whenever called upon to do so.

(C) Since the department or school is the unit of university organization for instruction and research in a definite field of learning, the departments or schools offering graduate work shall confer with the dean of the graduate school in all matters related to graduate work. In all matters pertaining to teaching load and adjustment of personnel, the dean of the graduate school shall consult with the dean of the appropriate college.

(D) The dean is hereby granted all authority necessary to carry out the responsibilities of the dean of the graduate school.

(E) The dean shall appoint all graduate school committees unless their membership has been designated by these faculty rules, the research and graduate council, or the graduate faculty.

(F) Any of the responsibility and authority of the dean of the graduate school may be delegated to another member of the graduate faculty.

(G) The usual method of communication between the dean of the graduate school and the president or the board of trustees shall be the same as for the deans of the colleges. (B/T 12/4/98, B/T 6/6/2008)

3335-3-32 Associate and assistant deans or directors, coordinators, and other officials.

Each college, the federation of the colleges of the arts and sciences, the graduate school, and each regional campus may have associate and assistant deans or directors, coordinators, or such administrative officials as are needed to carry out the programs of each unit. These persons shall be appointed pursuant to the procedures outlined in rule 3335-5-02 of the Administrative Code and shall be responsible to the principal administrative official of the educational unit, and shall have such responsibilities and authorities as may be delegated to them from time to time by that official. (B/T 6/7/2005)

3335-3-33 Secretaries.

Each college and the graduate school shall have a secretary who shall be responsible for keeping the records of the college, including the minutes of all college or graduate school faculty meetings. The secretary shall be appointed pursuant to the procedures outlined in rule 3335-5-02 of the Administrative Code and shall have such additional responsibilities and authorities as may be delegated to him or her from time to time by the dean. An associate or assistant dean or other college or graduate school officer may also be designated as the secretary of the college or of the graduate school (see paragraph (D)(5) of rule 3335-3-34 of the Administrative Code, for secretary of a school).

3335-3-34 Schools, departments, divisions, and sections; defined and located.
(A) The units of a college organization for instruction, research, and service are the school, department and division.

(B) Each of these units should normally meet the following qualitative requirements: (A particular unit may not meet all the criteria, but the formation of a unit that does not should only be approved when circumstances dictate that approval is important to the academic development of the university.)

1. A recognized, discrete area of academic concern not already included within the mission of another school, department or division;

2. A proposed or existing academic program at both undergraduate and graduate or graduate professional levels;

3. A source of faculty members prepared to offer academic work in the subject concerned;

4. An academic subject that offers research and/or public service opportunities in addition to formal classroom teaching and has the potentiality for developing recognition by other scholarly groups;

5. An academic field that has developed or is in the process of developing a student clientele either for the purpose of major programs or as an important "service" discipline to other major programs;

6. The ability to assume primary fiscal responsibility.

(C) Schools and departments shall meet the following quantitative requirements unless persuasive academic reasons demonstrate the need for exceptions:

1. A minimum of ten faculty positions spread through at least the three academic ranks of assistant professor to professor.

2. Student registration for at least one thousand credit hours per quarter.

(D) A school is differentiated from a department as follows:

1. The undergraduate or graduate work offered by a school may lead to "tagged" degrees.

2. Recipients of "tagged" degrees shall be recommended for such degrees by the faculty of the appropriate school.

3. A school, with the exception of the graduate school, may be organized into departments, divisions, or sections.

4. A school, with the exception of the graduate school, shall be responsible to a college for administrative purposes. Curricular proposals developed by the school shall be transmitted to the council on academic affairs for review and action after coordination with the college secretary and after fiscal approval of the dean has been secured.

5. A school may establish its own admission and retention policies and requirements within the framework of university policies and may retain student personnel records for those students enrolled in degree programs under the control of the school. To facilitate the conduct of these activities, a school shall appoint a secretary, with the responsibilities outlined for a secretary of a college (see rule 3335-3-33 of the Administrative Code).

(E) A "division" is an academic unit established within a college or a school to provide for a developing need in a circumscribed subject. The head of such unit shall be known as the chair of a division, shall have academic responsibility, and may be assigned fiscal responsibility by the respective dean of the college or director of the school. This unit shall be responsible for instruction, service, and research in a specific academic concern. Such
units may be established in any field in which a new department is not feasible, but in which there is a possibility that growth in the subject may eventually lead to the status of a department. However, the determination to establish such a unit need not be based solely on the presumption that such a unit will attain this status. The status of these units shall be reviewed periodically by the council on academic affairs.

(F) A "section" is an informal unit within a school, department, division, or academic center which is established to expedite the administration of a given academic subject. The function of a section shall be to assist the parent unit in the administration of the subject and to provide an organizational structure for relationship with professional organizations or other individuals with similar interests. The faculty member in charge shall be known as the section head. The head of the section is appointed by the administrator of the parent unit and has responsibilities delegated by the administrator of the parent unit. The formation of a section must be reported to the council on academic affairs.

(G) Schools, departments, and divisions shall be located with respect to colleges as shown in the current catalog of "The Ohio State University Bulletin - Course Offerings."

(H) The establishment or abolition of schools, departments, and divisions shall require approval by the council on academic affairs, the university senate, and the board of trustees (see rule 3335-3-37 of the Administrative Code. (B/T 4/2/71, B/T 3/2/84, B/T 5/3/96)

3335-3-35 Chairs of departments, directors of schools.

(A) The chair of each department and the director of each school, shall be the administrative head, respectively, of the department or school. The department chair and the director of a school perform a dual function. In addition to being the administrative head of the department or school, the chair or director represents the faculty of the department or school in dealing with the dean or others in the university administration. Upon the nomination of the president, the board of trustees shall appoint each chair and director for a term of four years subject to the annual review provisions of paragraph (S) of rule 3335-1-03 of the Administrative Code. A chair or director shall be eligible for reappointment. In selecting a chair or director, the president shall confer with the dean of the college involved. The dean, in turn, will consult with the faculty of the department or school on all campuses, as well as other appropriate university officials. The president shall give substantial weight to faculty recommendations in reaching a decision regarding a nomination or recommendation for reappointment. Department chairs and directors of schools report to the deans of their colleges.

(B) The president may remove a chair or director during a four-year term after consultation with the voting faculty and dean of the unit involved. The views of the faculty shall be given substantial weight in arriving at any decision to remove a chair or director from office.

(C) The duties of the chair of a department or the director of a school shall be as follows:

(1) To have general administrative responsibility for its program, subject to the approval of the dean of the college.

(2) To develop in consultation with the faculty a pattern of administration. This pattern of administration shall be made available to all present and prospective members of the faculty of the department or school, and a copy shall be deposited in the office of the dean of the college and in the office of the executive vice president and provost.

For purposes of defining minimum content, the following shall be included in the pattern of administration:

(a) A statement requiring the chair to provide a schedule of all regular faculty meetings (see rule 3335-5-18 of the Administrative Code) to all faculty members before the start of each quarter, semester, or session.
(b) A statement requiring the chair to maintain minutes of all faculty meetings and to maintain records of all other actions covered by the pattern of administration.

(c) A statement that the chair will consult with the faculty as a whole on all policy matters, and that such consideration will, whenever practicable, be undertaken at a meeting of the faculty as a whole.

(d) A statement recognizing in principle the presumption favoring majority faculty rule on all matters covered by the pattern of administration. This statement shall further provide that whenever majority faculty rule is not followed, the department or faculty chair, or school director, or dean and director of a regional campus, whichever is the case, shall explain the reasons for the departure to enhance communication and to facilitate understanding within the department. Where possible, this statement of reasons shall be provided before the departure occurs. This explanation shall outline the decision of the majority of the faculty, the decision of the department or faculty chair, or school director, or dean and director of the regional campus, whichever is the case, and the reasons the decisions differ. The explanation shall be communicated to the faculty in writing, where possible, or at a faculty meeting, with an opportunity provided for faculty to comment.

(e) A statement affirming that the faculty shall be consulted in the initiation and in the review and selection of new faculty members for appointment.

(f) A statement explaining how faculty duties and responsibilities in instruction, scholarship, and service are to be assigned and distributed equitably.

(3) To prepare, after consultation with the faculty and in accordance with the pattern of departmental administration, a statement setting forth the criteria and procedures according to which recommendations are made concerning appointments and/or dismissals, salary adjustments, promotions in rank, and matters affecting the tenure of the faculty. This statement shall be made available to all present and prospective members of the department or school, and a copy shall be deposited in the office of the dean of the college and in the office of the executive vice president and provost. At the beginning of each four-year term of the chair of a department or the director of a school, the members of the department or school, the office of the dean of the college, and the office of the executive vice president and provost shall receive either a revision or reaffirmation of the original statement.

(4) To operate the business of the department or school with efficiency and dispatch.

(5) To plan with the members of the faculty and the dean of the college a progressive program.

(6) To evaluate continuously the instructional and administrative processes and lead in the study of methods of improving them.

(7) To evaluate faculty members periodically in accordance with criteria approved by the board of trustees and subject to instructions from the executive vice president and provost, and also according to such supplemental criteria as may be set up by the department or school.

(8) To inform faculty members when they receive their annual review of their right to review their primary personnel file maintained by their tenure initiating unit and to place in that file a response to any evaluation, comment or other material contained in the file.

(9) To recommend to the dean of the college, after consultation with the faculty in accordance with paragraph (C)(3) of this rule, appointments, promotions, dismissals, and matters affecting the tenure of members of the department or school faculty.

(10) To encourage research and educational investigations.
(11) To see that all faculty, regardless of their assigned location, are offered the departmental privileges and responsibilities appropriate to their rank; and in general to lead in maintaining a high level of morale.

(12) To see that adequate supervision and training are given to those members of the faculty and staff who may profit by such assistance.

(13) To prepare (after consultation with the professors, associate professors, and assistant professors with tenure) annual budget recommendations for the consideration of the dean of the college.

(14) To promote improvement of instruction by providing for the evaluation of each course when offered, including written evaluation by students of the course and instructors, and periodic course review by the faculty. (B/T 3/10/66, B/T 5/6/77, B/T 2/1/80, B/T 4/1/83, B/T 6/11/86, B/T 10/2/87, B/T 11/2/90, B/T 3/12/93, B/T 5/3/96, B/T 4/4/97, B/T 2/6/98, B/T 12/4/98, B/T 6/7/2005)

3335-3-36 Centers and institutes.

(A) Definition of an academic center (institute).

An academic center is a non-degree granting educational unit of the university engaged in research; instruction; or clinical, outreach, or related service. An academic center is defined by its mission and scope, not its title, and may be described as a center, institute, laboratory, or similar term. Use of "center" or "institute" in the names of proposed units of the university shall be limited to academic centers, unless otherwise approved by the council on academic affairs. See paragraph (C) of rule 3335-3-56 of the Administrative Code, for definition of non-academic centers. Academic centers are of two broad types: university centers and college centers.

University center typically will have a substantial research/scholarship component to their mission, but also may be involved in instruction, and/or related service. Their internal funding (initial and continuing) is drawn fully, or in large part, from central university funds (i.e. office of the president, office of academic affairs, office of research, colleges of the arts and sciences). The leadership of the center will report to one or more of those offices.

College centers typically will have some mix, with variable emphases, of research/scholarship, instruction, service, clinical or outreach missions. Internal funding (initial and continuing) is drawn fully, or in large part, from one college or a small set of colleges. The leadership of the center will report to one dean or a small set of deans.

(B) Establishment, reporting, and oversight.

(1) Establishment of university centers

Proposals for university centers will be developed following the “guidelines for the establishment and review of academic centers” and submitted to the office of academic affairs for action.

The chair of the council on academic affairs (CAA), the provost’s designee to that council, and the chair of the university research committee (URC) will review the proposal to ensure adherence to the guidelines and determine if it includes a substantial research component.

If so, a “centers subcommittee” of the council, supplemented with membership from URC, will review the proposal and bring a recommendation for action to CAA. If a substantial research component does not exist, the special subcommittee of the council (without URC involvement) will review the proposal and bring a recommendation for action to CAA.
If approved by CAA, the proposal will be sent to the university senate for final approval. That action will be communicated to the board of trustees.

(2) Establishment of college centers.

Each college will have a template for the establishment and review of centers that will be included in the college pattern of administration. Copies of college templates also will be maintained in the office of academic affairs (OAA). Proposals will be developed with adherence to the template, and submitted to the dean(s) of the college(s).

No review/action by CAA is required. The dean(s) will inform the OAA of the establishment of such a center. OAA will inform CAA, resulting in official institutional notification.

The office of academic affairs shall maintain a register of all academic centers and appropriate records concerning each one.

(3) Curricula and faculty affiliation.

Although neither university nor college centers may establish independent course offerings and degree programs, they may participate in cooperative programs involving course offerings and degree programs within existing academic units. With the approval of the council on academic affairs, the faculty of a school or college may delegate to an academic center the authority to offer courses or degree programs established under the auspices of that school or college. Proposals for any such courses or programs must be forwarded to the office of academic affairs with the signature approval of the appropriate school or college which must retain ultimate authority and responsibility for the courses or degree programs.

University faculty and staff may affiliate with the academic center under procedures approved by its oversight committee. Academic centers shall not serve as tenure initiating units.

(4) Administration.

An academic center shall be administered by a director who shall be appointed by and report to the dean, relevant vice president(s) or deans of the pertinent college(s).

(5) Oversight.

Each university and college center shall have an oversight committee, at least two-thirds of whose members are regular faculty from the academic units involved in the center. The director shall consult regularly with the oversight committee.

The director of each academic center shall develop in conjunction with the oversight committee a pattern of administration for the center.

(6) Review process.

All university centers will be reviewed two years after initial establishment and at four-year intervals thereafter. The centers subcommittee of CAA will conduct the review following the “guidelines for the establishment and review of centers” and bring a recommendation for action to CAA. The range of actions include: continuation, conditional continuation with a follow-up in less than four years, and termination.

All college centers will be monitored through annual reports to the college dean(s). Should significant change to a center occur, or a decision be made to abolish a center, notification of that decision will be made to the office of academic affairs and through it to CAA.

(7) Previously established centers.
All existing academic centers established outside of this rule shall be reviewed under the requirements of this rule. Those not in compliance with the rule shall be allowed one additional year to make appropriate adjustments to allow for their continuation.

Note: the request of any established center seeking to move from one type to another must be reviewed and approved by CAA.

(C) Conditional use of the term “center.”

Start-up centers are permitted. Following submission of a formal request by a vice president or dean and expedited review and approval by CAA, the term “center” may be used related to external or central funding possibilities. That action will be communicated directly to the board of trustees. Should funding not be secured within one year, the unit must request from CAA an extension of the use of the term. Once funding is secured, the appropriate process for establishment of a university or college center must be initiated within one year. (B/T 9/8/61, B/T 6/4/93, B/T 8/1/97, B/T 12/4/98, B/T 6/7/2005, B/T 6/6/2008)

3335-3-37 Alteration or abolition of units.

(A) Definitions.

(1) The term unit refers to departments, schools and colleges.

(2) For purposes of this rule, the term alteration shall refer to the consolidation or reconfiguration of units. Consolidation shall refer to the combining of two or more units, with little or no additional change. Reconfiguration shall refer to the breaking apart of existing units and their academic programs and recombining the faculty and programs into new units.

(3) For the purposes of this rule, the term abolition shall refer to the complete elimination of a unit and the academic programs it provided.

(4) Alteration or abolition described herein may be initiated without a declaration of financial exigency.

(B) Procedure for alteration or abolition of departments and schools.

(1) A proposal to alter or abolish a unit may be initiated by any of the following:

   (a) The dean of the college administratively responsible for the unit(s) for which alteration or abolition is proposed,

   (b) The executive vice president and provost,

   (c) The council on academic affairs, or

   (d) Faculty from the affected unit(s).

(2) A proposal for alteration or abolition of a unit must include an analysis with the following elements. It shall be the responsibility of the party making the proposal to provide this analysis.

   (a) A rationale for alteration or abolition of the unit which includes a history of the formation, activities and evaluation of the performance of the unit.

   (b) An enumeration of all faculty affected by the alteration or abolition of the unit.

   (c) A person-by-person analysis of the proposed reassignment or other
accommodation of the faculty identified in paragraph (B)(2)(b) of this rule, including a statement of the impact on promotion and tenure. No tenured faculty member shall be involuntarily terminated as a result of this process. However, faculty may be transferred to another unit in accordance with paragraph (C)(2) of rule 3335-6-06 of the Administrative Code and with regard to the teaching, research, and service expertise of the individual.

(d) An analysis of the academic courses now taught by the unit and provisions for their reassignment to other units, if relevant.

(e) An analysis of the students affected by the proposal, including majors, non-majors, professional and graduate students.

(f) Specific proposals regarding support for currently enrolled students until degree completion.

(g) An analysis of the budgetary consequences to all relevant units as a consequence of the proposal.

(h) An analysis of the services lost to the rest of the university as a consequence of the proposal.

(i) An analysis of impact on constituencies external to the university, including alumni.

(j) An analysis of the impact on governance at all relevant levels as a consequence of the proposal.

(k) An analysis of the impact upon diversity.

(l) An analysis of the impact on the academic freedom and responsibility of all affected faculty.

(3) The proposal must be discussed with affected faculty, students, and staff, who may provide written and verbal feedback. The proposal may be modified by the proposal’s initiator in response to feedback. Following a thorough consultative process with affected faculty, students, staff, and others as appropriate, the college faculty shall vote on the proposal. The proposal, along with the numerical vote of the college faculty, shall then be forwarded to the council on academic affairs.

(4) The proposal will be judged by the assessment parameters developed by the council on academic affairs and published in its guidelines. The council on academic affairs will review the proposal and will also evaluate the consultation process. It will then return the proposal to the initiator for additional work if the proposal or the consultation has been judged inadequate, or approve the proposal and send it to the university senate for consideration, or disapprove the proposal, which ends the process.

(5) If the council on academic affairs approves the proposal, a memorandum of understanding will be developed and signed by all relevant parties.

(6) The university senate shall vote on the proposal. If it approves the proposal, the recommendation shall be forwarded to the president. A negative vote ends the process.

(7) The president shall review the proposal. If in favor, the president will forward it to the board of trustees. If the board of trustees approves the proposal, then the executive vice president and provost will appoint an oversight committee to monitor the implementation of the process. The chair of faculty council or designee; the secretary of the university senate one member of the committee on academic freedom and responsibility; and three members of faculty council shall be appointed to the oversight committee, the purpose of which is to safeguard the interests of affected faculty, students, and staff. Through the chair of faculty council, the oversight committee will
periodically report to the university senate, review and assess outcomes, suggest changes where targets are not being met, and assure that the memorandum of understanding is upheld. The oversight committee will present a final report to the senate.

(C) Procedure for alteration or abolition of colleges.

(1) The council on academic affairs, the executive vice president and provost, the dean, or faculty from the affected unit may initiate a proposal to alter or abolish a college.

(2) A proposal for alteration and abolition of a college must include an analysis with all of the elements outlined in paragraph (B)(2) of this rule. It shall be the responsibility of the party making the proposal to provide this analysis.

(3) The council on academic affairs shall appoint an ad hoc committee to evaluate the proposal. The ad hoc committee shall have a majority of regular faculty. The charge to the ad hoc committee and the composition of that committee must be agreed upon by the council on academic affairs, the executive committee of faculty council, and the executive vice president and provost.

(4) The ad hoc committee shall evaluate the proposal, which will include extensive consultation with affected faculty, students, and staff, and relevant parties external to the university.

(5) The recommendation of the ad hoc committee will be forwarded to the council on academic affairs and the executive vice president and provost.

(6) Prior to accepting or rejecting the ad hoc committee’s recommendation, the council on academic affairs will consult with faculty council and the executive vice president and provost. The faculty council response, including its vote, and a letter of recommendation from the executive vice president and provost shall be considered by the council on academic affairs. The council on academic affairs will then either terminate the process or forward its positive recommendation to the university senate.

(7) If the council on academic affairs approves the proposal, a memorandum of understanding will be developed and signed by all relevant parties.

(8) The university senate shall vote on the proposal. If it approves the proposal, the recommendation shall be forwarded to the president. A negative vote ends the process.

(9) The president shall review the proposal. If in favor, the president shall forward it to the board of trustees. If the board of trustees approves the proposal, then the executive vice president and provost will appoint an oversight committee to monitor the implementation of the process. The chair of faculty council or designee; the secretary of the university senate; one member of the committee on academic freedom and responsibility; and three members of faculty council shall be appointed to the oversight committee, the purpose of which is to safeguard the interests of affected faculty, students, and staff. Through the chair of faculty council, the oversight committee will periodically report to the university senate, review and assess outcomes, suggest changes where targets are not being met, and assure that the memorandum of understanding is upheld. The oversight committee will present a final report to the senate. (B/T 6/1/2001, B/T 6/4/2004, 5/14/2010)
The Ohio state university endorses full academic freedom as essential to attain the goal of the free search for truth and its free exposition. Academic freedom and academic responsibility are twin guardians of the integrity of institutions of higher learning. This integrity is essential to the preservation of a free society and explains the willingness of society historically to accept the concept of academic freedom and, in addition, to protect it through the institution of academic tenure.

The principal elements of academic freedom include the freedom of teachers to:

1. Teach, conduct research, and publish research findings;
2. Discuss in classrooms, in their own manner, any material that is relevant to the subject matter as defined in the course syllabus;
3. Exercise their constitutional rights as citizens without institutional censorship or discipline;
4. Seek changes in academic and institutional policies through lawful and peaceful means.

Academic freedom carries with it correlative academic responsibilities. The principal elements include the responsibility of teachers to:

1. Meet their defined teaching, research, and service obligations;
2. Pursue excellence, intellectual honesty, and objectivity in teaching, in conducting research, and in publishing research findings;
3. Encourage students and colleagues to engage in free discussion and inquiry;
4. Evaluate student and colleague performance on a scholarly basis;
5. Refrain from persistently introducing matters that have no bearing on the subject matter of the course;
6. Work with appropriate individuals and bodies to provide optimal conditions conducive to the attainment of the free search for truth and its free exposition;
7. Differentiate carefully between official activities as teachers and personal activities as citizens, and to act accordingly. (B/T 9/14/65, B/T 5/2/75, B/T 3/1/85)

Upon nomination and recommendation by the president of the university, the board of trustees shall make all appointments to all positions within the university and approve the salaries therefor.
(B) In defense of the freedom of those who teach and those who learn, and of the governmental system upon which such freedom is dependent, the conditions hereinafter set forth shall govern all initial appointments and continuing employment by the university.

(C) It shall be sufficient cause for the removal of any officer, teacher or employee of the university, pursuant to the procedures set forth in rule 3335-5-04 of the Administrative Code, that such officer, employee, or teacher advocate, or have membership in an organization which is generally known to advocate the overthrow of the government of the United States, or of the state of Ohio, by force, violence or other unlawful means. (Reference is made to the provisions of section 124.36 of the Revised Code.)

3335-5-02.1 Financial exigency.

(A) Definition. "Financial exigency" is an imminent financial crisis which seriously jeopardizes the ability of the university as a whole to survive as an institution of excellence in teaching, research, and public service. Projections of enrollment, of instructional subsidies, and of other sources of revenues must demonstrate that the shortage of funds will be both severe and persistent and cannot be alleviated by temporary or voluntary measures, as specified in paragraph (B)(2) of this rule.

(B) Mechanism of determination.

(1) In the event of an imminent financial crisis, as announced and defined by the president to the university senate, the president will solicit the recommendations of the fiscal committee, as provided for under rule 3335-5-48.11 of the Administrative Code, to ascertain whether a determination of financial exigency is warranted.

(2) The fiscal committee, acting in accordance with rule 3335-5-48.11 of the Administrative Code, shall have the responsibility to:

   (a) Review the budgetary documentation of the crisis, having full access to that documentation.

   (b) Assess whether the crisis would reduce the quality of the academic programs of the university as a whole to an unacceptable degree and would render the university unable to meet its obligations to the public.

   (c) Ascertain the extent to which consolidation or elimination of some administrative offices and services or reductions in operating and equipment budgets would alleviate the crisis.

   (d) Ascertain the extent to which voluntary retrenchment mechanisms, including early retirement or resignation or other economic incentive plans, would alleviate the crisis.

   (e) Make a recommendation based upon the above considerations of the need for a determination of financial exigency.

   (f) Report the results of its deliberations to the university senate.

   (g) Monitor the financial condition of the university during a state of financial exigency.

(3) Upon receipt of the report of the fiscal committee, the university senate shall make its recommendations as to whether there should be a determination of financial exigency.

(4) Upon receipt of the recommendations of the fiscal committee and the university senate, the president will notify the university community and the university senate of the administration's analysis and proposed response to the financial situation, allowing an opportunity to respond to questions and to solicit advice and opinions.
(5) In the event that the recommendations of the university senate and the president differ substantially on recommending determination of financial exigency to the board of trustees, recommendations of both shall be forwarded to the board, which has final responsibility for the determination of financial exigency. No further establishment of financial exigency will be required for one year at which time the full procedures must be invoked again.

(C) Review of administration proposals for alleviating financial exigency.

(1) Upon determination of a state of financial exigency and upon receipt from the executive vice president and provost of proposals, prepared in consultation with the college faculties, for curtailment of academic programs to alleviate financial exigency, the council on academic affairs shall review the proposals.

(2) For the purpose of this review, the council is to be an advisory committee to the president and is to report the results of its review both to the president and to the university senate.

(3) For this review, the council shall be chaired by a faculty member of the council. If neither the chair nor the vice chair of the council is a faculty member of the council, then a faculty member of the council shall be elected to act as chair of the council for the review of these proposals and for the submission of results to the president and to the university senate.

(4) In the conduct of its review, the council is authorized to:

(a) Obtain explanations of the proposals or provisions thereof;

(b) Request or initiate changes in the proposals and seek concurrence of appropriate administrators. In the event of non-concurrence, the council will note any points of disagreement.

(5) All proposals are to be reviewed both individually and as a coordinated set.

(6) In the review, the council shall:

(a) Consider alternatives to those proposals which would result in involuntary termination of tenured faculty members or regular faculty members in the probationary period;

(b) Determine that the proposals are consistent with established educational and academic policies of the university;

(c) Determine that there has been appropriate consultation with administrators, faculty, and students in the preparation of the proposals;

(d) Determine the extent to which the proposals affect the affirmative action commitment of the university;

(e) Determine that the proposals consider the effect upon students whose faculty advisers are reassigned or terminated and students whose field of study would be eliminated;

(f) Determine that the reassignment, economic incentive, and retraining provisions under rule 3335-5-02.2 of the Administrative Code have been considered;

(g) Determine that the proposals take into account the quality of relevant programs.
(7) The council shall conduct a hearing or hearings at which appropriate administrators, faculty members, and students are invited to testify.

(8) Within sixty days of the receipt of the proposals or such time as the president may designate, the council shall submit its report to the president and the university senate.

(D) Ending a state of financial exigency. A state of financial exigency ends one year after determination, unless ended sooner by the board of trustees. (B/T 10/1/82, B/T 5/1/86, B/T 11/2/90, B/T 5/3/96, B/T 6/6/97, B/T 12/4/98)

3335-5-02.2 Treatment of tenured faculty members during financial exigency.

(A) Definitions and construction.

(1) "Academic program" or "program" means:
   (a) A college, school, department, division, or instructional unit headed by an academic administrator;
   (b) A research or service unit (which may or may not educate students) headed by an academic administrator;
   (c) A coherent set of courses, or program of study, which leads to an academic degree; or
   (d) A coherent set of courses, or program of study, which does not lead to an academic degree but which serves to educate or train students (e.g., a professional certification program or a remedial program).

(2) "Curtailed" means reduced or eliminated, while "preserved" means not eliminated.

(3) "Tenured faculty member" means a regular tenured member of the faculty.

(4) "Tenure initiating unit" (TIU) means the specific academic unit responsible for making the initial recommendation on a regular faculty member's tenure status as recorded on the university tenure audit list available at the office of academic affairs. For purposes of this definition, the university tenure audit list of March 12, 1982, shall be retained, except as subsequently modified in accord with paragraph (C) of rule 3335-5-14 of the Administrative Code.

(B) Involuntary termination of tenured faculty.

(1) Hiring of faculty during financial exigency. The university shall not appoint new faculty while terminating tenured faculty appointments because of financial exigency unless a serious distortion in academic programs would otherwise result.

(2) Preservation of tenure initiating unit. A tenured faculty member whose TIU is preserved shall not be involuntarily terminated because of the curtailment of academic programs to which the faculty member is assigned.

(3) Administrative restructuring of tenure initiating unit. A tenured faculty member whose TIU is restructured by an administrative reorganization (e.g., by consolidation or merger with other TIU's, or by dispersal into several TIU's) shall not be involuntarily terminated for that reason. The faculty member shall be transferred to the appropriate reorganized TIU in accordance with the provisions of paragraph (C)(4) of this rule.

(4) Reinstatement of tenure initiating unit. If an eliminated TIU is substantively reinstated or established within a remaining TIU within three years, the university shall offer to reappoint all terminated tenured faculty members at their previous ranks.
(5) Elimination of tenure initiating unit. A tenured faculty member whose TIU is scheduled for elimination shall not be involuntarily terminated for that reason until the reassignment provision of paragraph (C) of this rule and the economic incentives of paragraph (D) of this rule have been offered to all eligible faculty members in the TIU.

(6) Notice of termination. A termination of appointment because of the elimination of a tenure initiating unit shall become effective no sooner than June thirty of the first full academic year following the academic year in which the appointment is terminated.

(7) Eligibility for termination compensation. A tenured faculty member who has been involuntarily terminated because of the elimination of his or her tenure initiating unit shall be entitled to accrued benefits and such compensation as authorized by the board of trustees.

(C) Reassignment of tenured faculty members.

(1) Change of tenure initiating unit. If a tenured faculty member's TIU is scheduled for elimination, then the university shall offer to transfer the faculty member to any suitable authorized position in the remaining TIU's provided that a simple majority of all tenured faculty in a TIU are willing to accept the faculty member. The evaluation of the professional qualifications of the faculty member shall be made by the faculty in the new TIU, based on considerations of the faculty member's potential contributions to the needs of the program according to the prevailing standards of the new TIU.

(2) Reassignment to new position. A tenured faculty member whose tenure initiating unit is scheduled for elimination shall not be reassigned to another position unless that reassignment includes a change of TIU and retention of tenure. This requirement shall not preclude the possibility of employing in a non-faculty position a faculty member who has lost tenure because of resignation or involuntary termination. A faculty member shall not be obligated to accept an offer of reassignment.

(3) Eligibility for economic incentives. A tenured faculty member who accepts an offer of reassignment according to the provisions of paragraphs (C)(1) and (C)(2) of this rule and who voluntarily resigns from the reassigned position within six months, shall be entitled to any of the economic provisions of paragraph (D) of this rule that were applicable at the time of reassignment.

(4) Rate of compensation. Reassignment of a tenured faculty member to a different tenure initiating unit shall not be at a reduced rate of compensation. If reassignment necessitates a change of compensation base (e.g., conversion between nine-month and eleven-month appointments), then the change shall be calculated according to standard university accounting procedures.

(5) Displacement of other employees. A tenured faculty member who is reassigned to a new tenure initiating unit shall not displace an incumbent in an existing position (e.g., a tenured faculty member in a program which is curtailed shall not be assigned to a position in another TIU held by an untenured faculty member, or to a position held by an administrative and professional employee).

(6) Retraining of faculty. Where reassignment of a tenured faculty member according to the provisions of paragraphs (B)(1), (C)(1), or (C)(2) of this rule would be facilitated by or contingent upon a period of retraining, the faculty member shall be eligible for a reassignment training leave.

(D) Economic incentives and retraining programs.

(1) Early retirement program. The university shall invoke the provisions of the Ohio state university early retirement program to facilitate the voluntary reduction of tenured
faculty members in a curtailed academic program.

(2) Reassignment training leave program. The university shall invoke the provisions of a reassignment training leave program to facilitate reassignment of tenured faculty members to other programs or tenure initiating units.

(3) Other programs. The university shall invoke any other feasible methods to reduce by voluntary means the number of tenured faculty members in a curtailed academic program. Such methods could include a voluntary resignation program (e.g., a “buy-out” plan), among other possibilities. (B/T 10/1/82, B/T 4/3/96)

3335-5-02.3 Appeal procedures for tenured faculty because of termination of appointments during financial exigency.

(A) Scope and construction.

(1) A tenured faculty member who has received a notice of termination because of financial exigency shall have the right to a hearing before a faculty hearing panel.

(2) The responsibility for presenting the formal appeal and for responding to the hearing panel's requirements at all stages rests with the faculty member bringing the complaint ("the complainant").

(3) The determination of financial exigency or the decision to eliminate a tenure initiating unit shall not constitute grounds for an appeal.

(4) An appeal may be made only on the basis of a complaint over the interpretation or implementation of paragraphs (B) to (D) of rule 3335-5-02.2 of the Administrative Code. In considering complaints over implementation of the aforementioned rules, the hearing panel shall consider only whether those individuals making the decisions followed the appropriate procedures and considered the important evidence material to a fair determination.

(B) The faculty hearing committee.

(1) Written notice of intention to appeal shall be given by the complainant within thirty days of the receipt of a termination notice. An additional thirty days will be allowed for the complainant to submit the formal appeal. The notice of intention to appeal and the formal appeal will be submitted to the executive vice president and provost and to the chair of the faculty hearing committee.

(2) In response to each notice of intention to appeal, the faculty hearing committee shall select a hearing panel of tenured faculty members according to the provisions of rule 3335-5-48.10 of the Administrative Code. The hearing panel shall begin its review of the case not earlier than thirty days and no later than sixty days from receipt of the notice of intention to appeal, except by mutual consent of the complainant and the chair of the faculty hearing committee.

(3) The hearing panel shall conduct an investigatory proceeding in accordance with the following provisions:

(a) The proceeding shall not be adversarial in nature. The proceeding shall be an investigation leading to a report on whether or not those individuals making the decision followed the appropriate procedures and considered the important evidence material to a fair determination.
(b) The complainant shall have the right to be present at any hearing before the panel where testimony is taken concerning the complainant's case and to bring an adviser. No formal transcript of the hearing need be made unless requested by the complainant.

(c) The complainant shall state the case in writing and shall have the opportunity to present the case in person to the hearing panel and to offer any evidence in support of the claim.

(d) The person or persons responsible for the decision may be called upon by the hearing panel to demonstrate that the important and material evidence was considered.

(4) At the conclusion of the hearing, the hearing panel shall either dismiss the complaint or support the complaint. In either case, the panel shall record its findings in writing, providing specific responses to each charge made by the complainant, summarizing the evidence and rationale which led the panel to its decision. These findings shall be reported to the administrative officer of the tenure initiating unit, to the dean of the college in which the complainant is a member, to the executive vice president and provost, and to the complainant.

(5) The hearing panel shall recommend to the executive vice president and provost and to the president either that the complaint be dismissed or that corrective action be taken.

(6) Within thirty days of the receipt of the panel's decision, the executive vice president and provost shall respond in writing to the hearing panel and to the complainant stating what action has been recommended and the reasons therefor.

(7) All written documents and recorded testimony obtained by the hearing panel shall be made available to the complainant upon request.

(C) The president.

(1) After receipt of the hearing panel's recommendations under paragraph (B)(5) of this rule, and the executive vice president and provost's recommendations under paragraph (B)(6) of this rule, the president shall review the matter and take whatever action is deemed appropriate.

(2) All decisions of the president under this procedure shall be provided in writing to the hearing panel, the executive vice president and provost, and the complainant. (B/T 10/1/82, B/T 6/7/84, B/T 5/1/86, B/T 11/2/90, B/T 5/3/96, B/T 4/4/97, B/T 12/4/98)

3335-5-03 Appointment of faculty and staff; tenure.

(A) The board of trustees shall appoint the president and all employees of the university not in the classified civil service, subject to the laws of the state of Ohio, and in the case of regular tenure-track faculty, to the rights and protection of tenure as provided for in these rules.

(B) Tenure is a commitment by the university and may be earned by all individuals with regular tenure-track faculty status subject to successful completion of a probationary period. Regular tenure-track faculty status is defined in rule 3335-5-19 of the Administrative Code.

(C) The protections of tenure and academic freedom extend to all levels of faculty responsibility within the university in accordance with rule 3335-5-01 of the Administrative Code and are not restricted to activities identified with specific instructional, research or public service programs.
(D) Tenure is lost only by formal resignation, by voluntary reduction of appointment below fifty per cent of service to the university except in the case of an approved leave of absence, by retirement, by transfer to regular clinical, regular research, or auxiliary faculty status, or may be terminated by reason of proved incompetence or grave misconduct in accordance with rule 3335-5-04 of the Administrative Code, for causes set forth in rule 3335-5-02 of the Administrative Code, or under the conditions of bona fide financial exigency, as specified in rule 3335-5-02.1 of the Administrative Code.

(E) Tenured members of the regular faculty who serve the university as administrators do not lose tenure by virtue of being administrators. (B/T 8/1/97, B/T 6/7/2005)

3335-5-04 Hearing procedures for complaints against regular tenure-track, regular clinical, regular research, and auxiliary faculty members.

(A) Definitions and construction.

(1) This rule shall apply to all formal complaints against regular tenure-track, regular clinical, regular research, and auxiliary faculty members. Complaints may be filed under this rule against administrators who hold faculty appointments.

(2) As appropriate, department chairs, deans, or the executive vice president and provost (hereinafter "provost") will attempt, through the use of informal consultation, to resolve complaints to their satisfaction and that of the complainant, and the faculty member against whom the complaint is made (hereinafter "respondent").

(3) Financial fraud is defined as a deliberate act or deliberate failure to act that is contrary to law, rule or policy with intent to obtain unauthorized financial benefit from the university for oneself, one’s family or one’s business associates. Financial fraud includes, but is not limited to, misappropriation of university funds or property, authorizing or receiving compensation or reimbursement for goods not received or services not performed or hours not worked, or unauthorized alteration of financial records.

(4) Department chairs, deans, or the provost shall not act in their administrative capacities in the consideration of any complaint naming them as respondent. If a complaint names a department chair or a dean as respondent, the provost shall appoint an equivalent rank administrator from another department or college to perform the responsibilities of the named official under this rule. If a complaint names the provost as respondent, the chair of the steering committee of the university senate shall perform the responsibilities of this official under this rule.

(5) All records of proceedings under this rule shall be maintained in the office of academic affairs. Such records shall remain confidential to the extent permitted by law.

(6) At the time of their initial appointment and when they receive their annual review, faculty members shall be given notice of their right to review their personnel file maintained by their tenure initiating unit (hereinafter “primary personnel file”). A member of the faculty may place in his or her primary personnel file a response to any evaluation, comment or other material contained in the file.

(7) Documents related to the performance of a faculty member which are received by his or her tenure initiating unit prior to the filing of a complaint may not be introduced in proceedings under this rule unless they have been placed in the faculty member's primary personnel file, and the faculty member has been so informed, or copies have otherwise been provided to the faculty member.

(8) The designation "department chair" in this rule includes division chair, school director, deans of colleges without departments, and regional campus deans and directors.
(9) The term "day" as used in this rule means "calendar day." If the last day of a designated time period falls on a weekend or a day on which the university is closed, the time period shall expire at the close of business on the next succeeding business day.

(10) If at any time the provost determines that a faculty member poses a clear and present danger to persons or property, the provost may temporarily and immediately reassign the faculty member or, in the event of allegations of nontrivial financial fraud, suspend the faculty member with pay pending completion of investigation of a complaint under this rule. The provost shall be responsible for assuring that a complaint is filed promptly.

(11) Allegations of gross incompetence shall be judged by a faculty member's serious failure to meet his or her obligations as a faculty member.

(12) Allegations of grave misconduct shall be judged on the basis of acts or omissions which seriously impair the effectiveness of a faculty member to meet his or her obligations as a faculty member.

(13) Respondents shall be given written notice of decisions required by this rule. Any notice shall be sent by certified mail, and a copy shall be sent by regular mail. The time period for any action to be taken after delivery of the notice shall begin to run on the date on which the notice is mailed.

(14) Complainants shall be given written notice of decisions of the department chair and the dean, and the final disposition of the case. Any notice shall be sent by certified mail, and a copy shall be sent by regular mail.

(B) Initial proceedings.

(1) A complaint may be filed by any member of the faculty, students, post doctoral fellows, and post-professional fellows. In addition, complaints alleging any form of discrimination or sexual harassment may be filed by any university employee.

(2) The complaint shall be set forth in writing. A copy shall be furnished to the respondent by the administrator with whom the complaint is filed.

(3) A complaint shall state facts to support an allegation that a faculty member has failed to meet his or her obligations as a faculty member, has committed acts or omissions which otherwise impair his or her effectiveness in meeting these obligations, has committed financial fraud or has otherwise violated university rules.

(4) Only allegations stated in the complaint shall be considered at the various stages of deliberation.

(5) A complaint may be filed with a department chair, a dean, the provost or the president. If a complaint is filed with the dean, provost, or president, it shall be immediately referred to the appropriate department chair for initial review. A complaint against a faculty member in a college without departments shall be referred directly to the dean of the college. If a complaint is filed against a regional campus faculty member, the regional campus dean shall serve jointly with the department chair in the initial review. The regional campus dean and the department chair must agree that there is probable cause for the case to go forward.

(C) Review by the department chair.

(1) The department chair shall review the allegations in the complaint and discuss the matter with the complainant and with the respondent.
(2) If the chair determines that there is probable cause to believe that the allegations are true and that it is not appropriate to reach an informal resolution, the chair shall refer the matter to the dean.

(3) If the chair determines that there is not probable cause to believe that the allegations are true, the chair shall dismiss the complaint. In this event, the complainant may appeal the dismissal to the dean. The appeal must be in writing and must be filed with the dean within twenty-one days after the notice of the chair's decision was mailed. In the event of an allegation of financial fraud, the chair shall refer the matter to the dean.

(4) The chair shall make every effort to complete the review in fourteen days.

(D) Review by the dean.

(1) Upon receipt of an appeal or a referral of a complaint from a department chair, the dean shall review the allegations in the complaint and discuss the matter with the complainant and the respondent.

(2) If the dean determines that there is probable cause to believe that the allegations are true and that it is not appropriate to reach an informal resolution, the dean shall refer the matter to the college investigation committee.

(3) If the dean determines that there is not probable cause to believe that the allegations are true, the dean shall dismiss the complaint. The proceedings shall terminate at this point except in cases involving faculty members in colleges without departments or in the event of an allegation of financial fraud. In the case of colleges without departments, the complainant may appeal a dismissal by the dean to the college investigation committee. The appeal must be in writing and must be filed with the dean within twenty-one days after the dean's decision was mailed to the complainant. Upon receipt of an appeal the dean shall immediately forward the appeal to the college investigation committee, which shall proceed in accordance with paragraph (E) of this rule. In the case of an allegation of financial fraud, the matter shall be forwarded to the college investigation committee.

(4) The dean shall make every effort to complete the review in fourteen days.

(E) The college investigation committee.

(1) Each college shall establish a procedure for the creation of a standing college investigation committee, which shall consist of tenured faculty members. A college may include on its college investigation committee tenured faculty members from other colleges.

(2) Upon receipt of a referral of a complaint from the dean, the college investigation committee shall meet with the complainant and the respondent and shall review any documentary evidence provided by these parties. The respondent shall be given copies of any documentary evidence provided to the committee by the complainant. The committee may also obtain relevant information from other persons, but shall protect the confidentiality of the proceedings. At the conclusion of its investigation, the committee shall deliver to the dean its findings, a recommendation concerning the merits of the complaint and, if the complaint is judged to have merit, a proposed sanction. Findings of the committee shall be based on clear and convincing evidence.

(3) Any proposed sanctions shall be commensurate with the nature of the complaint. Sanctions of a continuing nature must include time limitations and an annual review. Sanctions include but are not limited to:

(a) Verbal reprimand;
(b) Written reprimand;

c) Mandatory counseling or other rehabilitation;

d) Reimbursement for damages to or destruction of university property, or for misuse or misappropriation of university property, services or funds;

e) Reassignment of duties or other restrictions on duties or privileges;

f) Restriction of access to university property or services, the abuse of which led to the complaint;

g) Reduction of salary base not to exceed thirty-three percent for one-year;

h) Reduction of twelve-month appointment to nine-month appointment;

(i) Combination of above sanctions;

(j) Dismissal of non-tenured faculty; and

(k) Dismissal of tenured faculty.

(4) The committee may recommend termination of employment of tenured faculty members only in demonstrated cases of gross or serious incompetence or grave misconduct or nontrivial financial fraud.

(5) The committee shall make every effort to complete its investigation and submit its report within forty-five days.

(F) Decision by the dean.

1) After reviewing the report and recommendation of the college investigation committee, the dean may:

(a) Dismiss the complaint;

(b) Uphold the committee’s recommendation and proposed sanction;

(c) Uphold the committee’s recommendation with what would reasonably be interpreted as an equivalent or lesser sanction.

2) If the college investigation committee has recommended a sanction other than termination of employment, the dean may not increase the sanction to termination of employment except in the case of nontrivial financial fraud.

3) The dean shall make a decision in thirty days.

4) If the dean dismisses the complaint, the proceedings shall be terminated and the matter closed. In cases of nontrivial financial fraud, the dean shall refer the matter to the provost.

5) The respondent may appeal any decision or sanction to the provost.

6) An appeal by the respondent must be in writing and must be filed with the provost within twenty-one days after notice of the dean’s decision was mailed.

(G) Review of appeals by the provost.
(1) After reviewing the record of a case appealed by a respondent or referred by the dean, the provost may:

(a) Dismiss the complaint;

(b) Uphold the dean’s decision and proposed sanction;

(c) Uphold the dean’s decision with what would reasonably be interpreted as an equivalent or lesser sanction.

(d) In the case of nontrivial financial fraud, increase the sanction.

(e) In the case of nontrivial financial fraud, reverse the dean’s decision and impose a sanction.

(2) The provost shall make every effort to reach a decision within fourteen days.

(3) If the provost upholds the dean’s decision and proposed termination of employment, or if the provost modifies a sanction that is less than termination, the respondent may appeal to the faculty hearing committee. In all other cases, the provost’s decision shall be final.

(4) An appeal by the respondent must be in writing and must be filed with the faculty hearing committee within twenty-one days after notice of the provost’s decision was mailed.

(H) The faculty hearing committee.

(1) Within thirty days of receipt of an appeal from a respondent the faculty hearing committee which is established by rule 3335-5-48.10 of the Administrative Code, shall convene a hearing panel to consider the complaint. The respondent and the provost or designee may each make one peremptory challenge to the seating of one person on the hearing panel and one peremptory challenge to the selection of a presiding officer.

(2) The hearing panel may restrict the attendance of persons at the proceedings. However, the respondent and the provost shall have the right to have one observer of their choosing present at all times.

(3) Respondents shall have the right to be represented by legal counsel or any other person of their choice, to examine the witnesses and evidence against them, to present witnesses and evidence on their own behalf, and to refuse to testify or be questioned in the proceedings without prejudice to their cause.

(4) The provost, or designee, shall present the case to the hearing panel. In presenting the case, the provost may be advised by the general counsel.

(5) The hearing panel shall receive testimony and other evidence as it deems to be material and relevant to the issues before it.

(6) An electronic recording shall be kept of all proceedings.

(7) At the conclusion of the proceedings, the hearing panel shall make separate written findings of fact with respect to each substantive issue raised at the hearing and a recommendation as to a sanction, if any, to be imposed. Such findings of fact and recommendation, together with a record of the proceedings, shall be transmitted to the president of the university and to the respondent. Findings of the hearing panel shall be based on clear and convincing evidence.
(8) The hearing panel will not be bound by the findings of the college investigation committee.

(9) The hearing panel may recommend termination of employment of tenured faculty members only in demonstrated cases of gross or serious incompetence, grave misconduct or nontrivial financial fraud.

(10) The hearing panel shall make every effort to conclude the proceedings within sixty days.

(I) The president.

(1) Upon receipt of the written findings of fact and recommendation and a record of the proceedings from a hearing panel, the president shall review the matter. The president may:

(a) Dismiss the complaint;

(b) Impose any sanction less than termination of employment whether or not it accords with the recommendation of the hearing panel;

(c) Recommend to the board of trustees termination of employment on such terms and conditions as the president may deem advisable;

(d) Remand the case to the hearing panel for reconsideration.

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

(J) Board of trustees.

The board of trustees, in reviewing and deciding upon a case in which termination of employment has been recommended, has the ultimate authority to take that action necessary to promote the best interest of the university and to protect the rights of the individual. In such cases, the board shall give the respondent an opportunity to present to it arguments in writing, or in person, or both. (B/T 4/4/97, B/T 12/4/98, B/T 2/4/2000, B/T 6/7/2005, B/T 7/8/2005, 9/9/2011)

3335-5-05 Procedures concerning faculty complaints about promotion, tenure and renewal decisions.

(A) Definitions and construction.

(1) Complaints concerning promotion, tenure, or renewal decisions may be made to the committee on academic freedom and responsibility by tenured or probationary faculty.

(2) In all formal proceedings under this rule, the burden of going forward and the burden of establishing proof shall be on the complainant.

(3) "Improper evaluation," as used in this rule, shall mean:

(a) That a decision affecting the complainant was based upon an inadequate consideration of the pertinent facts by the individual(s) making the decision, or

(b) That such decision was based upon reasons or considerations that infringe a constitutional right of the complainant.

(4) In considering complaints alleging an improper evaluation under this rule, the review should consider only whether those individual(s) making the decision followed the
appropriate procedures, considered the important evidence material to a fair determination, and acted in a responsible manner. When reviewing complaints, neither the committee on academic freedom and responsibility nor the faculty hearing panel shall substitute its judgment on the merits of the individual's performance for that of the academic unit.

(5) If a complaint is dismissed by either the committee on academic freedom and responsibility or a hearing panel pursuant to this rule, no appeal may be taken by the complainant.

(6) All records of the proceedings under this rule shall be kept in the office of the executive vice president and provost and shall not be open to public inspection without the written permission of the complainant and the executive vice president and provost.

(B) The committee on academic freedom and responsibility.

(1) Complaints alleging improper evaluation shall be presented in writing to the faculty members of the committee on academic freedom and responsibility (hereinafter "committee") and to the executive vice president and provost within thirty days (whenever practical) after a faculty member has been notified of the decision the faculty member wishes to challenge.

(2) Upon receipt of a written complaint alleging improper evaluation, the committee shall have sixty days to review the complaint, and evidence relating to it (including evidence on behalf of the academic unit) to determine whether reasonable and adequate grounds exist for asserting improper evaluation.

(3) By means of informal procedures, the committee shall review the complaint, and evidence relating to it (including evidence on behalf of the academic unit) to determine whether reasonable and adequate grounds exist for asserting improper evaluation.

(4) If the committee determines that no reasonable and adequate grounds exist for asserting improper evaluation, it shall dismiss the complaint and forward all files on the matter to the executive vice president and provost.

(5) If the committee determines that reasonable and adequate grounds may exist for asserting improper evaluation, it shall forward the complaint and all additional materials gathered during examination of the complaint to the faculty hearing committee and to the complainant, established pursuant to rule 3335-5-48.9 of the Administrative Code.

(6) If the committee is unable to reach a decision in the allotted sixty days, the complaint shall be forwarded to the faculty hearing committee.

(C) The faculty hearing committee.

(1) Upon receipt of a complaint alleging improper evaluation, the chair of the faculty hearing committee shall meet with the complainant to discuss the issues in the complaint and to inform the complainant about the procedures to be followed in the hearing.

(2) The faculty hearing committee shall select a hearing panel according to the method provided in rule 3335-5-48.10 of the Administrative Code, to conduct proceedings in order to determine whether there is validity in the complaint.

(3) Actions being challenged under this rule shall be responded to by the executive vice president and provost or designee.
(4) In matters involving allegations under paragraph (A)(3)(b) of this rule, the hearing panel shall conduct its proceedings in a collegial manner in accordance with the following guidelines:

(a) The complaint shall be set forth in writing and a copy furnished to the party or parties that are alleged to have committed the infringement.

(b) The hearing panel may restrict the attendance of persons at the proceedings, provided that the complainant shall not be denied the right to have one observer of his or her choosing present at all times.

(c) Both complainant and respondent shall have the right to be accompanied and advised by any person of their choice, to present witnesses and evidence on their own behalf, and to examine witnesses and evidence.

(d) The hearing panel shall receive such testimony and other evidence as it deems to be material and relevant to the issues before it.

(e) An electronic recording shall be kept of all proceedings before a hearing panel.

(5) In matters involving complaints under paragraph (A)(3)(a) of this rule, the hearing panel shall conduct an investigatory proceeding in accord with the following guidelines:

(a) The proceeding shall not be adversarial in nature. The proceeding is an investigation leading to a report on whether or not adequate consideration was accorded.

(b) The complainant should be given opportunity to address the hearing panel in writing and in person, and offer any evidence substantiating the claim.

(c) If the complainant appears before the hearing panel, the complainant may bring an advisor. No formal transcript of the proceedings need be kept.

(d) The hearing panel shall request an oral or written report on the procedures followed and the evidence considered in reaching the decision that led to the complaint. The person or group who makes the decision may be called upon to demonstrate that all important and material evidence was considered.

(6) At the conclusion of a hearing, the hearing panel shall:

(a) Dismiss the complaint if it determines that there has been no improper evaluation.

(b) When it has found that an improper evaluation has been made, submit its findings to the dean of the college in which the complainant is a member and to the executive vice president and provost. The executive vice president and provost, in consultation with the hearing panel and the chair of the faculty hearing committee, shall take such steps as may be deemed necessary to assure a new, fair, and impartial evaluation. A copy of the hearing panel's findings shall also be sent to the president.

(7) If a decision is remanded under paragraph (C)(6)(b) of this rule, it shall be reconsidered promptly. Within thirty days of the receipt of the hearing panel's decision, the executive vice president and provost shall respond in writing to the hearing panel and the president, stating what action has been taken and the reasons therefor.

(8) All findings and recommendations of a hearing panel shall be made in writing and a copy shall be provided to the complainant.
(D) The president.

(1) Upon receipt of a report under paragraph (C)(7) of this rule, the president shall review the matter and take whatever action the president deems appropriate.

(2) All decisions of the president under this rule shall be provided in writing to the hearing panel and the complainant. (B/T 5/2/75, B/T 6/7/84, B/T 5/1/86, B/T 11/2/90, B/T 5/3/96, B/T 4/4/97, B/T 12/4/98, B/T 6/4/99, B/T 6/1/2001)

3335-5-06 Guest speakers.

It is the policy of the university to foster a spirit of free inquiry and to encourage the timely discussion of a broad range of issues, provided that the views expressed are stated openly and are subject to critical evaluation. Within our prevailing standards of decency and honesty, this policy shall be construed to mean that no topic or issue is too controversial for intelligent discussion on the campuses. Restraints on free inquiry should be held to that minimum which is consistent with preserving an organized society in which change is accomplished by peaceful, democratic means. To this end, registered student organizations, faculty, and others entitled to sponsor a meeting involving the use of university facilities (see rule 3335-13-03 of the Administrative Code) may invite guest speakers to the campuses. The sponsors must take reasonable steps necessary to ensure that the meeting is conducted in an orderly manner.

3335-5-07 Definition of regular faculty duties and responsibilities.

Regular faculty members who are on duty are accountable for meeting the formal and informal obligations associated with research, service, and/or teaching or clinical practice. Duties and responsibilities are assigned annually in accordance with the workload policy laid out in the pattern of administration of each faculty member’s tenure initiation unit and, as appropriate, regional campus.

Regular full-time faculty members are expected to be on duty for an average of nineteen working days a month, with working days defined as weekdays that are not designated as university holidays. Faculty members on nine-month appointments are commonly on duty for nineteen working days a month averaged over a nine-month period. The most common pattern for a nine-month on-duty period under quarters includes the autumn, winter and spring quarters. The most common pattern for a nine-month on-duty period under semesters includes the autumn and spring semesters.

Breaks within a given semester or session, as well as any days between the end of the exam period and the beginning of the next quarter, semester or session, will be considered off-duty days. Faculty on twelve-month appointments are on duty on all working days except for the days they accrue and designate as vacation days. Terms of duty for full-time auxiliary faculty for nine- or twelve-month faculty unless otherwise specified in their annual letter of appointment; terms for shorter-term auxiliary faculty are specified in their annual letter of appointment; terms for shorter-term auxiliary faculty are specified in their annual letters of appointment. (B/T 6/19/2010)

3335-5-08 Absence from duty.

Absence of any member of the teaching staff from ordinary service in the university, for any cause other than sickness, must be with the knowledge and approval of his or her chair or director and of the dean of the college and, if for longer than ten days, with the approval of the executive vice president and provost. For faculty assigned to a regional campus, the dean and director of that campus and the coordinating dean for regional campuses must also be notified and approve the absence. Sick leave is granted on approval of the appropriate administrative official when notification is given as soon as practicable, presumably on the first day of absence. (B/T 4/4/97, B/T 12/4/98)
3335-5-10 Communication with the president.

The usual method of communication between a member of the faculty and the president shall be as described in paragraph (F) of rule 3335-1-04 of the Administrative Code. (B/T 6/7/2005)

3335-5-11 Communication with the board of trustees.

The ordinary method of communication between the employees of the university and the board of trustees shall be as described in paragraph (G) of rule 3335-1-04 of the Administrative Code. (B/T 6/7/2005)

3335-5-12 "Rules of the University Faculty"; incorporated in contracts.

These "Rules of the University Faculty" shall be incorporated by reference as a part of every contract or agreement for employment with the Ohio state university as though expressly incorporated in said contract or agreement.

College Faculties

3335-5-13 Membership.

Every member of the university faculty shall be a member of the college faculty or faculties to which he or she is assigned regardless of the location of his or her primary duty. In cases involving doubt as to the proper college to which the university faculty member is assigned, assignment will be made by the executive vice president and provost after obtaining the recommendation of the deans and/or dean and directors concerned. (B/T 4/4/97, B/T 12/4/98)

3335-5-14 Powers.

The several college faculties shall have, subject only to the separate powers of the faculty of a school (see rule 3335-3-34 of the Administrative Code) and of the faculty of the arts and sciences (see rule 3335-5-27 of the Administrative Code), the following general powers:

(A) To adopt requirements for admission subject to the approval of the university senate and the board of trustees;

(B) To adopt, alter or abolish courses and curricula subject to the approval of the council on academic affairs and the president and the board of trustees (see rules 3335-5-48.1 and 3335-8-02 of the Administrative Code);

(C) To create and abolish schools, and departments of instruction within the college subject to approval of the council on academic affairs, the university senate, the president and the board of trustees (see rules 3335-3-25 to 3335-3-28, 3335-3-37, and 3335-5-48.1 of the Administrative Code);

(D) To adopt and abolish academic degrees administered by them subject to approval of the council on academic affairs, the university senate, the president, and the board of trustees;

(E) To recommend to the faculty membership of the university senate and the board of trustees, candidates for degrees. (B/T 6/4/2004)

3335-5-15 Executive committee.

Each college shall have the power to designate an executive committee to which it may delegate authority to transact the business of the college as provided by the rules or by the established precedents of the college. Unless otherwise provided by the college faculty, this committee shall receive and act upon student petitions relative to courses of study and reinstatement; shall certify
to the college faculty at the end of each quarter, semester, or session, lists of students who have fulfilled the requirements for a degree, or for whom special recommendation is made; and shall bring before the college faculty any matter coming within its knowledge that needs the consideration or action of the college. The dean of the college shall act as chair of the committee.

3335-5-16 Meetings.

The college faculty shall meet upon call of the dean of the college or in accordance with rules established by the college.

Departmental or School Faculties

3335-5-17 Membership.

The department or school faculty shall comprise all members of the department or school who are members of the college faculty and such other members of the department or school as the chair or director may from time to time designate. The chair or director shall be chair of the department or school faculty (see rule 3335-3-35 of the Administrative Code). The faculty of the department or school on all campuses, shall make recommendations on educational policies to the faculty of the college. In addition, the faculty of the school shall have the several academic powers set forth in rule 3335-3-34 of the Administrative Code. The president of the university and the dean of the college are members of the faculty of each department or school.

3335-5-18 Meetings.

The department or school faculty shall meet upon call of the chair or director or as prescribed in the unit's pattern of administration, but not less frequently than once each quarter, or semester, during the academic year.

Regional Campus Faculties

3335-5-18.1 Membership.

A regional campus faculty shall be comprised of those regular and full-time auxiliary faculty members rendering primary service on that campus, the dean and director of the campus, and the president of the university. (B/T 2/1/80)

3335-5-18.2 Meetings.

The regional campus faculty shall meet upon the call of the dean and director or in accordance with rules established by that regional campus faculty. (B/T 2/1/80)

Faculty

3335-5-19 Faculty.

As used in these rules the term "faculty" shall include persons appointed by the board of trustees with regular tenure-track, regular clinical, regular research, auxiliary, and emeritus faculty titles on full- or part-time appointments, with or without salary.

(A) "Regular tenure-track faculty": persons with the titles of professor, associate professor, assistant professor, and instructor who serve on appointments totaling fifty per cent or more service to the university.

(B) "Regular clinical faculty": Regular clinical faculty serve under fixed term contracts and are not eligible for tenure. Regular clinical faculty appointments are described in Chapter 3335-7 of the Administrative Code.
"Regular research faculty": Regular research faculty serve under fixed term contracts and are not eligible for tenure. Regular research faculty appointments are described in Chapter 3335-7 of the Administrative Code.

"Auxiliary faculty": persons with adjunct titles, clinical titles, visiting titles, and lecturer titles; also professors, associate professors, assistant professors, and instructors who serve on appointments totaling less than fifty per cent service to the university. Persons with regular faculty titles may not hold auxiliary titles. Persons holding auxiliary titles are not eligible for tenure, may not vote at any level of governance, and may not participate in promotion and tenure matters.

The titles of adjunct professor, adjunct associate professor, adjunct assistant professor, and adjunct instructor shall be used to confer faculty status on individuals who have credentials comparable to regular faculty of equivalent rank, who provide significant, uncompensated service to the instructional and/or research programs of the university and who need a faculty title to perform that service. Significant service would include teaching the equivalent of one or more courses, advising graduate students or serving on graduate committees, and serving as a co-investigator on a research project. Such individuals may be either nonuniversity employees or university employees compensated on a noninstructional budget. Adjunct appointments are made for the period in which the uncompensated service is provided not to exceed one year; renewal is contingent upon continued significant contributions. Procedures for the promotion of adjunct faculty members shall be the same as for promotion of regular faculty.

The titles of clinical professor, clinical associate professor, clinical assistant professor, and clinical instructor shall be used to confer faculty status on individuals who have credentials comparable to regular clinical faculty of equivalent rank and who either provide significant, uncompensated service for which a faculty title is needed or compensated service to the clinical instructional programs in the colleges of the health sciences. Clinical appointments are made for the period in which the service is provided not to exceed one year. Renewal of no-salary appointments is contingent upon continued significant contributions. Procedures for the promotion of clinical faculty members shall be the same as for promotion of regular clinical faculty.

The titles of visiting professor, visiting associate professor, visiting assistant professor, and visiting instructor shall be used to confer faculty status on individuals who have credentials comparable to regular faculty of equivalent rank who spend a limited period of time on formal appointment and in residence at this institution for purposes of participating in the instructional and research programs of the university. A visiting appointment cannot exceed three continuous academic years of service.

The titles of lecturer and senior lecturer shall be used for all compensated instructional appointments where other titles are not appropriate. Lecturers' responsibilities shall be limited to formal course instruction.

"Emeritus faculty": regular tenure-track, regular clinical faculty, or regular research faculty who, upon retirement, were recommended by the chair, the dean and the executive vice president and provost for emeritus status. Emeritus faculty may not vote at any level of governance and may not participate in promotion and tenure matters but may have such other privileges as individual academic units or the office of human resources may provide.

For purposes of the governance functions described in rules 3335-5-20 to 3335-5-25 of the Administrative Code, the term "university faculty" shall mean all regular tenure-track faculty, the

3335-5-20 Presiding officer.

The president of the university shall be the presiding officer of the university faculty. In the president's absence the duties of the presiding officer shall be assigned to the executive vice president and provost. In the absence of both the president and the executive vice president and provost, the duties of the presiding officer shall be assigned by the president to the dean of one of the colleges, the dean for undergraduate education, or the senior vice president for research. (B/T 4/4/97, B/T 12/4/98, B/T 5/4/2001, B/T 5/7/2004, B/T 2/1/2006)

3335-5-22 Meetings.

(A) Meetings of the university faculty shall be held as needed during the school year. These meetings shall be held on call of the president, either on the president's own motion or on request of the university senate or of the university faculty. The request of the university senate shall be by action taken at any meeting of the university senate. The request of the university faculty shall be by petition signed by members of the university faculty (see rule 3335-5-19.1 of the Administrative Code) in a number equal at least to ten per cent of the total membership of the university faculty. The president shall have a reasonable time to call the meeting after receiving the request.

(B) For the purpose of this rule and rule 3335-5-23 of the Administrative Code, this total membership of the university faculty shall be determined as of the October first preceding the date on which the petition is filed.

3335-5-23 Quorum.

Thirty per cent of the total membership of the university faculty (see rule 3335-5-19.1 of the Administrative Code) shall constitute a quorum for the transaction of business.

3335-5-24 Vote.

Only members of the university faculty (see rule 3335-5-19.1 of the Administrative Code) shall be eligible to vote at a meeting of the university faculty.


(A) Except as otherwise provided by the university faculty, its meeting shall be conducted in accordance with the latest revision of "Robert's Rules of Order."

(B) The order of business shall depend on the type of business to be transacted at the particular meeting. (B/T 6/7/2005)

Faculty of the Arts and Sciences

3335-5-26 Membership.

The faculty of the arts and sciences shall consist of all faculty members of the five colleges in the arts and sciences (see rule 3335-3-28 of the Administrative Code). (B/T 10/11/67, B/T 3/5/71)

3335-5-27 Powers.

The faculty of the arts and sciences shall have jurisdiction over:

(A) All programs for the "untagged" bachelor's degrees, subject only to approval by the council.
on academic affairs and the university senate. Such degrees shall be awarded only upon the recommendation of the faculty of the arts and sciences.

(B) The general education requirements for all programs in the colleges of the arts and sciences, and joint responsibility for planning the general education requirements for colleges outside arts and sciences on a cooperative basis. Jurisdiction for the general education requirements for colleges outside arts and sciences shall lie with the university senate through the council on academic affairs, and not with the faculty of the arts and sciences. (B/T 10/11/67, 6/18/2010)

3335-5-28 Meetings.

The faculty of the arts and sciences shall meet upon call of the chair of the coordinating council of deans or in accordance with rules established by the faculty. (B/T 10/11/67, B/T 3/2/84, B/T 5/3/96)

Graduate Faculty

3335-5-29 Membership.

The regular members of the graduate faculty shall consist of those members of the university faculty who nominated by their graduate program and approved by the graduate school. Ex officio members of the graduate faculty are the executive vice president and provost, the senior vice president for research, the dean of the graduate school, the deans of the colleges, and the director of libraries. (B/T 4/4/97, B/T 12/4/98, B/T 5/7/2004, B/T 6/7/2005)

3335-5-30 Powers and functions.

The graduate faculty shall have the following general powers and functions:

(A) To initiate and to act upon any question affecting the policies of the graduate school or to request consideration and action by the graduate council.

(B) To receive the annual report of the dean of the graduate school and such other reports as the dean shall submit.

(C) To perform the functions approved by the graduate council. (B/T 6/7/2005, B/T 6/6/08)
3335-5-31 Meetings.

(A) Meetings of the graduate faculty shall be called by the dean of the graduate school or whenever so requested by ten per cent of the regular members of the graduate faculty or by a majority of the members present at any regular meeting of the graduate council.

(B) The dean of the graduate school shall announce the time, place and purpose of each meeting at least seven days before the date of the meeting. The dean of the graduate school, or designee, shall preside at all meetings of the graduate faculty. All actions of the graduate faculty shall be upon a majority vote of the regular members present. In case of a tie vote on any matter before the graduate faculty, the dean of the graduate school shall cast the deciding ballot. Any action taken pursuant to paragraph (A) of rule 3335-5-30 of the Administrative Code shall be proposed at one meeting of the graduate faculty and acted upon at a subsequent meeting called for that purpose. (B/T 6/7/2005, B/T 6/6/2008)

3335-5-32 Graduate council.

There shall be established a graduate council with the following powers and subject to the following limitations in rules 3335-5-33 to 3335-5-36 of the Administrative Code. (B/T 6/6/2008)

3335-5-33 Membership.

There shall be a graduate council constituted as follows:

(A) Chair. A faculty chair of the graduate council shall be elected annually by members of the graduate council. The chair will sit on the senate’s faculty cabinet.

(B) Faculty members. Twelve members of the graduate faculty shall be appointed for terms of three years by the vice provost for graduate studies and dean of the graduate school in consultation with the executive deans and senate faculty leadership (the chair and vice-chair of faculty council, the chair of the senate steering committee, and the university senate secretary). Three of the twelve shall be members of the university senate. Graduate faculty members should have experience as a graduate studies committee chair, department chair, or other significant involvement in graduate education. Nine of the twelve graduate faculty members shall be nominated by executive deans from lists solicited from the faculty of their respective colleges in the following manner: three by the executive dean of the colleges of the arts and sciences; three by the executive dean of the health sciences; three by the executive dean of the professional colleges. Three of the twelve graduate faculty members shall be appointed by the vice provost for graduate studies and dean of the graduate school.

(C) Alternate faculty members. Each faculty member of the graduate council is expected to attend its meetings regularly. Alternate representatives shall be identified by each executive dean and approved by the vice provost for graduate studies and dean of the graduate school. Alternates shall have the general powers and privileges as of the member represented. Service as an alternate does not make the alternate ineligible for membership in the council the following year.

(D) Graduate student members. Two graduate students shall be appointed by the council of graduate students. These members shall serve terms of one year and shall be eligible for of three consecutive terms.

(E) Alternate student members. Each student member of the council is expected to attend its meetings regularly. Alternate representatives shall be identified by the council of graduate students. The alternate shall then have the general powers and privileges as the member represented. Service as an alternate does not make the alternate ineligible for membership in the council the following year.
3335-5-34 Duties and responsibilities.

The graduate council shall be the principal advisory body of the graduate school and shall have the following duties and responsibilities:

(A) To serve as an advisory group to the vice provost for graduate studies and dean of the graduate school.

(B) To participate in the development of rules, policies, and standards pertaining to graduate education and graduate programs and to act upon any question affecting those policies.

(C) To participate in the establishment of rules, policies, and standards governing graduate associates and graduate fellowships, including overseeing eligibility and allocation procedures for graduate school fellowships.

(D) To review proposals for new or revised graduate programs, graduate minors, graduate interdisciplinary specializations and other curricular matters.

(E) To submit to the council on academic affairs recommendations about adopting or abolishing academic degrees administered by the graduate school.

(F) To provide oversight for interdisciplinary graduate programs.

(G) To make recommendations about establishing and abolishing academic centers and other comparable organizations that are engaged in graduate education and make recommendations for determining the membership and authorities of their boards or governing bodies.

(H) To approve, modify, or reverse any action taken by its standing or ad hoc committees.

3335-5-35 Committees.

(A) There shall be one standing committee: curriculum. The committee will be chaired by a graduate faculty member of the committee.

(B) There shall be ad hoc committees to address issues requiring specific expertise. Ad hoc committees shall be convened at the discretion of the vice provost for graduate studies and dean of the graduate school or graduate council. (B/T 6/6/2008)

University Senate

3335-5-37 Membership.

There shall be a university senate, a unicameral body constituted as follows:

(A) Voting members: the voting members of the senate (throughout this document the word "senate" shall be taken to mean the university senate) shall consist of:

- Twenty-six administration members
- Seventy faculty members
- Forty-one student members, consisting of twenty-six undergraduate, ten graduate, and
Any change in the number of members representing one of three primary categories shall necessitate an adjustment in the total membership in order to maintain to the nearest percentage the ratio of these numbers.

(B) Non-voting members: senate members not entitled to vote on the floor of the senate, but otherwise to participate in all senate deliberations, shall include the chair of faculty council (if not a member of the senate), the president of the alumni association, the secretary of the university senate, the president of the freshman senate, the president of the undergraduate student government, the president of the council of graduate students, and the president of the inter-professional council, and the chair of the university staff advisory committee. (B/T 7/7/72, B/T 6/14/74, B/T 7/9/76, B/T 7/22/77, B/T 7/20/79, B/T 2/3/84, B/T 2/7/86, B/T 2/1/91, B/T 4/7/95, B/T 5/3/96, B/T 8/1/97, B/T 12/4/98, B/T 4/6/99, B/T 7/7/2000, B/T 5/6/2005, 5/14/2010)

3335-5-38 Terms of office.

(A) Ex officio members serve by virtue of their position and shall have no fixed term of office.

(B) Faculty members shall serve three-year terms, with one-third being elected each year; they shall be ineligible for one year for reelection after two consecutive terms of service.

(C) Student members shall serve one-year terms and be eligible for reelection. (B/T 7/7/72, B/T 7/9/76, B/T 7/22/77, 4/4/2008, B/T 6/5/2009)

3335-5-39 Election bylaws.

The university senate shall have the power to make election bylaws governing election districts and constituencies, dates for assuming office, election procedures, membership certification, and resolution of election appeals; such election bylaws shall not contravene the sections of the Revised Code applying to the university, the "Bylaws of the Board of Trustees," or the "Rules of the University Faculty." The senate election bylaws may be amended pursuant to the procedures specified in rule 3335-5-43 of the Administrative Code. (B/T 7/9/76)

3335-5-40 Alternate members.

When a regular member is unable to attend a meeting of the university senate, he or she shall notify the secretary in advance of the meeting, giving the name of the alternate who will act as a replacement. The alternate so designated shall then have the general powers and privileges in the university senate of the person replaced.

(A) An administration member shall designate an alternate from the administration.

(B) A faculty member shall designate an alternate from those elected as alternates in the member's own election district.

(C) A student member shall designate an alternate from his or her constituency with the advice and consent of the student's council or governing body.

(D) Non-voting members (see paragraph (B) of rule 3335-5-37 of the Administrative Code) shall designate their alternates from their respective constituencies or offices. (B/T 7/7/72, B/T 6/14/74, B/T 5/3/96, B/T 6/7/2005)

3335-5-41 Powers.

The university senate, subject to the authority of the board of trustees, shall have the power:

(A) Under delegation by the university faculty to establish the educational and academic policies of the university,
to recommend the establishment, abolition, and alteration of educational units and programs of study, to recommend to the board of trustees candidates for honorary degrees, to recommend candidates for degrees and certificates (which power shall be reserved to the faculty and administrative members of the university senate).

(B) To consider, to make recommendations concerning, and (in pursuance of rules pertaining to the university) to act upon matters relating to the rights, responsibilities, and concerns of students, faculty, administrators, and staff. (B/T 7/7/72)

3335-5-42 Procedures for reconsideration.

Upon petition by ten per cent of the student body or ten per cent of the faculty, the senate shall reconsider any action which it has taken. Upon its own initiative, the senate may also reconsider actions it has taken. (B/T 7/7/72, B/T 7/11/75)

3335-5-43 Procedures for altering the organization of the university senate.

In matters pertaining to an alteration of the organization of the senate:

(A) The secretary shall provide a written copy of the proposed change to all members and alternates at least two weeks in advance of the meeting at which the proposal is to be considered; and

(B) An affirmative vote of two-thirds of the members present and voting at that meeting shall be required for passage. (B/T 4/4/75)

3335-5-44 Constituent bodies of the senate.

Subject only to the provisions listed below in this paragraph, the representatives to the senate of the administration, of the faculty, and the students shall have the right to meet separately and to organize themselves in whatever manner they shall deem appropriate. As far as the senate is concerned, these bodies represent separate memberships. They may initiate proposals and submit them to the university senate for consideration. The senate, however, shall be independent of these bodies, and its actions shall not need their concurrence nor be subject to their review.

(A) The members of the administration shall designate to the university senate office one person or officer responsible for submitting to the senate those proposals and recommendations which come in the name of the administration.

(B) The elected faculty representatives to the senate shall constitute the faculty council. The faculty council shall designate to the university senate office one person or officer responsible for submitting to the senate those proposals and recommendations which come in the name of the faculty council.

(C) The student representatives to the senate shall designate to the university senate office one person or officer from the undergraduate student government, the council of graduate students, and the inter-professional council, to be responsible for submitting to the senate those proposals and recommendations which come from those respective groups.

(D) Nothing in the above shall be construed as restricting the right of a principal standing committee or of individual members speaking for themselves to submit proposals for senate action to the steering committee, or directly to the senate. (B/T 7/7/72, B/T 7/21/78, B/T 2/1/80, B/T 2/7/86, B/T 4/4/97, 5/14/2010)

3335-5-45 Bylaws of the senate.

The university senate shall have the power to organize itself and to make such bylaws for its own proceedings as shall not contravene the sections of the Revised Code applying to the university, the "Bylaws of the Board of Trustees," or the "Rules of the University Faculty." The senate's bylaws may
be amended at any time by a majority of senate members present and voting thereon. The bylaws shall also be the subject of review by the rules committee at the beginning of each new autumn session of the senate. (B/T 7/7/72, B/T 4/3/87)

3335-5-45.1 Presiding officer.

The president of the university shall be the presiding officer of the university senate. In the absence of the president or at the president’s request the executive vice president and provost shall preside.

In the absence of both the president and the executive vice president and provost, the chair of the steering committee shall preside. (B/T 7/7/72, B/T 3/2/84, B/T 11/2/90, B/T 5/3/96, B/T 4/4/97, B/T 12/4/98)

3335-5-45.2 Secretary of the university senate.

(A) The secretary of the university senate shall be a tenured member of the regular faculty, appointed by the president from three nominees submitted by the steering committee. The term of office shall be for three years. Prior service as secretary need not preclude nomination to this office. During the term of office the secretary shall be reassigned for a minimum of fifty per cent of time to the office of the university senate during autumn, winter, spring, and summer quarters. The secretary of the senate will be evaluated annually by the executive vice president and provost, the chair of the senate steering committee, and the chair of faculty council.

(B) The responsibilities of the secretary of the university senate will be to:

1. Serve as a resource person for members of the university community on matters relating to university governance and to activities of the university senate.
2. Promote active, effective participation in university governance by the members of the constituencies of the university senate.
3. Coordinate the responsibilities of the office of the university senate as described in rule 3335-19-09 of the Administrative Code.
4. Serve as a voting member of the rules committee and a non-voting member of the steering committee of the university senate.
5. Serve as a resource person for university and senate committees.

3335-5-45.3 Faculty ombudsman.

(A) The faculty ombudsman shall be a senior member of the regular faculty or an emeritus faculty member, appointed by the president. Appointments shall be made on the basis of a recommendation made by a search committee consisting of the chairs of faculty council and the steering committee, the secretary of the senate, the provost, and the president. The term of office shall be for one year, and is renewable.

1. The faculty ombudsman shall be someone with experience in university governance at the Ohio state university, shall be familiar with university rules and policies, prevalent cultural norms within the institution, precedent, and established university policies and operating procedures.
(2) Compensation for the faculty ombudsman will be provided by the office of academic affairs, in the form of course release time or supplemental compensation.

(B) The responsibilities of the faculty ombudsman will be to:

1. Serve as an advisor to faculty to assist them in determining the viability of their complaints and issues.
2. Direct faculty to appropriate offices, committees, and university rules and policies.
3. Serve when appropriate as an informal mediator of early-stage complaints, to mediate as an impartial party rather than as an advocate for faculty involved in complaints.
4. Present an annual report on his or her activities to faculty council early in the autumn term of each academic year.
5. Visibility of the office of the ombudsman will be made available to faculty through venues such as web pages, the ombudsman speaking at new faculty orientation, and through an introduction at the first meetings of senate and faculty council each year.

(C) Recourse to the ombudsman.

1. Recourse to the ombudsman is voluntary and not a prerequisite for consideration of the dispute by the committee on academic freedom and responsibility, the faculty hearing committee, the office of academic affairs, or the office of human resources. (B/T 10/29/2009)

3335-5-46 Senate committee operating procedures.

The university senate shall have committees designated as organizing, standing, or special.

(A) Membership.

1. Unless otherwise designated by rule, the president shall appoint all committees of the university faculty and the senate (see paragraph (B)(3) of rule 3335-1-03 of the Administrative Code).
2. When a rule provides for the option of selecting a designee to a committee, the designee shall be appointed by the person being replaced.

3. Committee vacancy.

   a. The chair will report vacancies to the appropriate nominating source through the office of the university senate. For the purpose of this rule, a vacancy exists when an elected member is unable to meet the participation requirements defined by the committee.

   b. When an unexpired term becomes vacant, the vacancy shall be filled in a manner consonant with the original method of committee selection. A member selected to fill such a vacancy shall serve for the duration of the unexpired term.

4. The membership of each committee shall be made known through the report of the secretary of the university senate.

5. Terms of service.

   Unless otherwise specified by the rules, terms of service of senate committee members shall begin and end on the first day of autumn quarter; incoming members may attend meetings as non-voting members as soon as they are appointed.
(B) Duties and responsibilities.

(1) Senate committees shall report at least annually to the senate at a time and in a manner specified by the program committee of the senate.

(2) Senate committees shall define reasonable participation requirements for the conduct of ongoing business.

(C) Organization.

Committee chairs. Except where otherwise specified by the rules, in the spring each committee shall elect a chair from its continuing membership, whose term shall begin the subsequent summer quarter; where it is deemed useful, committees may elect a vice-chair in the autumn to assist the current. (B/T 5/1/86, B/T 7/10/87, B/T 2/5/88, B/T 5/3/96, B/T 9/1/99, 4/4/2008)

3335-5-47 Organizing committees of the senate.

(A) The senate shall have two organizing committees (see rules 3335-5-47.1 to 3335-5-47.3 of the Administrative Code):

(1) Steering committee;

(2) Rules committee.

(B) Membership.

(1) The president shall appoint members of the administration; the council of graduate students, the inter-professional council, the undergraduate student government, and the faculty council shall select members of their own constituency using procedures adopted by their respective bodies.

(2) Only members of the senate may serve on organizing committees.

(3) Terms of service.

(a) Faculty members shall serve two-year terms and are eligible for immediate reelection or reappointment to a second term. Following that they are ineligible for reelection or reappointment until one full year has elapsed. Faculty members may not serve as chair of an individual committee for more than three successive years.

(b) Student members shall serve one-year terms and shall be eligible for reappointment.

(c) Appointed administration members shall serve two-year terms and shall not be eligible for immediate reappointment until one full year has elapsed unless they have served less than two-thirds of a full term.

(d) Multiyear terms shall be staggered so that approximately equal proportions of the number of members retire each year.


3335-5-47.1 Steering committee.

(A) Membership.

The steering committee shall consist of fourteen members.
(1) Six faculty.

(2) Four students.

(a) The president of the council of graduate students. The vice president of the council of graduate students may attend steering committee meetings with full voting privileges if the president cannot attend.

(b) The president of the inter-professional council. The vice president of the inter-professional council may attend steering committee meetings with full voting privileges if the president cannot attend.

(c) Two undergraduate students, one of whom is the president of the undergraduate student government. The vice president of the undergraduate student government may attend steering committee meetings with full voting privileges if either student cannot attend.

(3) Four administrators.

(a) The executive vice president and provost.

(b) The senior vice president for business and finance.

(c) The secretary of the university senate (non-voting).

(d) A dean.

(B) Duties and responsibilities.

(1) Be the senate's committee on committees: the steering committee shall have the power to call, by vote of nine of its members, a special meeting of the senate, and shall have such power and duties as the senate may delegate to it during periods when the senate is not in session. It may create subcommittees and may delegate to them any of its powers, functions, and duties.

(2) Review the structure, operation, and effectiveness of the senate and its committees. It shall receive suggestions, review proposed rule changes, and initiate recommendations for change in the structure and operation of the senate, including structure, duties, and responsibilities of senate committees, without, however, in any way restricting the senate's authority to alter its operations by other means. The steering committee may also review other proposed rule changes prior to presentation to the senate.

(3) Serve as a channel of communication between the senate and the president and the board of trustees. Members shall be an advisory group available to both the president and the board of trustees for advice and counsel on any matter relating to the operation and development of the university. After consulting with the president, the members of the steering committee may request and obtain a meeting with the board of trustees.

(4) Meet at least once every year with the chair of each standing committee.

(C) Organization.

(1) For the period of time beginning with the selection of its members in spring quarter and ending with the start of the autumn quarter, the steering committee shall consist of the newly selected and continuing members. During this period, the outgoing members shall serve as alternates.

(2) The committee shall annually elect a chair from its regular faculty membership.

3335-5-47.3 Rules committee.

(A) Membership.

The rules committee shall consist of ten members.

(1) Six faculty.

(2) Three students.

(a) One graduate student.

(b) One professional student.

(c) One undergraduate student.

(3) One administrator. The secretary of the university senate.

(B) Duties and responsibilities.

(1) Be responsible, in cooperation with the secretary of the university senate, for the monitoring of the "Rules of the University Faculty" and of all statutes and bylaws pertaining to the senate.

(2) Ensure that all published rules and bylaws within the senate's purview are up to date, and recommend their republication at such intervals as may be desirable.

(3) Make recommendations for the revision of the procedural rules of the senate.

(4) Before senate action, the committee shall receive all proposed new rules and changes in existing rules. It shall review them and recommend such editorial or other changes it deems necessary to avoid conflict with other rules, to enhance clarity and precision, and to avoid ambiguity.

(5) Initiate rules or changes in existing rules and recommend them to the program steering committee for scheduling for senate action.

(C) Organization.


3335-5-48 Standing and special committees of the senate.

(A) The senate may establish such standing and special committees as it deems necessary or desirable.

(1) The standing committees of the senate are those committees defined in rules 3335-5-48.1 through 3335-5-48.18 of the Administrative Code.

(2) A special committee is one established to carry out a specified task, at the completion of which it automatically ceases to exist.
(B) Membership.

(1) All standing and special committees of the senate shall include at least one regular faculty member of the senate.

(2) Unless otherwise specified by the rules, or by the senate, the president shall appoint members of the administration; the council of graduate students, the inter-professional council, the undergraduate student government, and the faculty council shall select members of their own constituency using procedures adopted by their respective bodies.

(3) Terms of service.

(a) Faculty members shall serve three-year terms and are eligible for immediate reappointment to a second term. Following that they are ineligible for reappointment until one full year has elapsed. Faculty members may not serve as chair of an individual committee for more than three successive years.

(b) Unless otherwise specified by the rules, student members shall serve one-year terms and be eligible for reappointment.

(c) Appointed administration members shall serve two-year terms and shall not be eligible for immediate reappointment until one full year has elapsed unless they have served less than two-thirds of a full term.

(d) Multiyear terms shall be staggered so that approximately equal proportions of the number of members retire from the committee each year.

(4) Student alternates.

Unless otherwise designated by rule, graduate, inter-professional and undergraduate student members of standing and special committees of the senate may have an alternate. The alternate shall be selected from the same area of representation as the original appointment. Student members shall advise the chair of the alternate’s name prior to the meeting in which the member will be absent. The chair has responsibility for recording correct voting status. If the member has voting status, the alternate may vote in the event of the member’s absence. If the member has speech and debate privileges, the alternate shall retain these privileges in the member’s absence. Whenever possible, potential alternates will be identified by appointing authority at the beginning of the academic year.


3335-5-48.1 Council on academic affairs.

(A) Membership.

The council on academic affairs shall consist of sixteen members.

(1) Ten regular tenure-track faculty.

(a) Six regular tenure-track faculty, at least two of whom are members of the senate, selected by the faculty council. The term of service is three years.

(b) Four regular tenure-track faculty appointed by the president. The term of service is three years.

(2) Five students.
(a) Two graduate students. The term of service is two years.

(b) One professional student.

(c) Two undergraduate students. The term of service is two years.

(3) One administrator. The executive vice president and provost, or designee.

(B) Duties and responsibilities.

(1) Make recommendations to the senate concerning the educational and academic policies of the university (see rule 3335-5-41 of the Administrative Code). This responsibility shall include, but shall not necessarily be limited to, the power to make recommendations concerning the establishment, alteration and abolition of all curricula and courses offered by the university or any division thereof; of all degrees and certificates conferred under authority of the university or any division thereof; and of all colleges, departments, and schools. It may conduct such investigations and appoint such committees as are reasonably necessary to carry out its responsibilities under these rules. Committees appointed by this council may be discharged by it at any time.

(2) Initiate recommendations to the senate and review all proposed changes in the educational and academic policies of the university. In reviewing proposed changes, the council shall:

(a) Receive from the various colleges and schools, pursuant to the exercise of their powers under rule 3335-5-14 of the Administrative Code, proposals for the establishment, alteration or abolition of courses and curricula, of departments, schools, and divisions within a college, and of academic degrees. (See rules 3335-3-37, 3335-8-02, and 3335-8-03 of the Administrative Code);

(b) Receive from the graduate school, pursuant to the exercise of powers conferred upon the research and graduate council by rule 3335-5-35 of the Administrative Code, its proposals for the adoption, alteration or abolition of graduate-credit courses and curricula, and of academic degrees administered by it. (See rules 3335-8-02 and 3335-8-03 of the Administrative Code.)

Upon proposals respecting courses and curricula, the council shall act with finality subject to the rights of the graduate school or of any college to bring the council's decision before the senate for review. With respect to other submissions to it, the council shall make its recommendations to the senate after notice thereof, in at least abbreviated form, has been given in the official bulletin. Failure of the council on academic affairs to act or to submit its recommendations will not deprive the senate of power to review these other submissions.

(3) Foster, as needed for interdisciplinary programs involving two or more academic areas, the establishment of faculty coordinating units reporting to the council. These units shall perform coordinative functions similar to those of the faculty of the arts and sciences (see rule 3335-5-27 of the Administrative Code) and shall serve the interdisciplinary interest of academic programs both within and among the several colleges of the university.

(4) Appoint "ad hoc" arbitration committees to help solve problems created by any major reorganization of the academic structure of the university. The role of such committees shall be:

(a) To encourage discussion between and within groups of faculty members of departments or schools when it is apparent that relocation in a different organizational environment is a source of concern to some of these groups;
(b) To hear viewpoints and where necessary to take the lead in the arbitration of problems of individuals or groups who feel their professional development may be adversely affected by the revised organization.

If agreement cannot be reached by consultation or arbitration, an arbitration committee may make a recommendation to the senate through the council on academic affairs on what should be done to solve the problem at issue from the standpoint of what is best for the university.

(5) Review the academic organization of the university at five-year intervals to make certain it is kept as closely attuned as possible to changing needs. Any suggestions for modifications and improvements shall be reported to the senate.

(6) Formulate and announce a procedure to be followed in the establishment, alteration or abolition of courses or curricula.

(7) Review the administration's proposals following the determination of a state of financial exigency as provided under rule 3335-5-02.1 of the Administrative Code.

(C) Organization.

(1) The chair of the council shall be elected for a one-year term by the council from the membership of the council. The vice chair of the council shall be elected for a one-year term by the council from the membership of the council. The chair (or in that person's absence, the vice chair) shall preside at all meetings of the council.

(2) Reports by the council on academic affairs to the president, other than those made through the senate, shall be made by the chair through the executive vice president and provost.


3335-5-48.2 Council on libraries and information technology.

(A) Membership.

The council on libraries and information technology shall consist of fourteen members.

(1) Seven regular tenure-track faculty.

(2) Three students.

   (a) One graduate student.

   (b) One professional student.

   (c) One undergraduate student.

(3) Three administrators (or their designees).

   (a) The dean of the graduate school.

   (b) The director of libraries.

   (c) The chief information officer.

(4) One staff member, appointed by the university staff advisory council.
(B) Duties and responsibilities.

(1) In collaboration with the director of libraries and the chief information officer, to formulate policies governing the educational and research activities and services of libraries and information technology.

(2) Assist the director of libraries and the chief information officer in the interpretation of library and information technology services to the university community.

(3) Assist in the presentation of major library and information technology needs to the university administration.

(4) Advise the executive vice president and provost on the appointment of the director of libraries or the chief information officer.

(C) Organization.

(1) The chair shall be elected from among the voting members of the council.

(2) Reports by this council to the president, other than those made through the senate, shall be made through the executive vice president and provost.


3335-5-48.4 Council on student affairs.

(A) Membership.

The council on student affairs shall consist of twenty-two members.

(1) Six regular tenure-track faculty, at least two of whom are members of the senate. The term of service begins in summer quarter.

(2) Ten students. The term of service begins in summer quarter.

(a) Three graduate students.

(b) Two professional students.

(c) Four undergraduate students. Two of these students shall have a term of service of one year. Two of these students shall have a term of service of two years, with one student selected each year.

(d) One student from a regional campus selected by the undergraduate student government.

(3) Three staff members, appointed by the vice president for student life. The term of service begins in summer quarter.

(a) One non-voting student affairs staff member to act as the secretary for the council. The term of service is one year.

(b) A student affairs staff member from a regional campus. The term of service is one year.
(c) A college office student affairs staff member. The term of service is one year.

(4) Three administrators, non-voting.

(a) The vice president for student life or designee.

(b) The associate vice president for student life for planning and student development.

(c) The director of student activities or designee.

(5) Alternates.

Members of the council on student affairs may have an alternate. The alternate shall be selected in the same manner as the original appointment. The chair has responsibility for recording correct voting status. If the member has voting status, the alternate may vote in the event of the member's absence.

(B) Duties and responsibilities.

(1) Initiate recommendations and review proposals with regard to policies which may affect the quality of student life.

(2) Make regulations pursuant to the rules of the university faculty, the bylaws, and the statutes, insofar as they pertain to the quality of student life.

(3) Advise the vice president for student 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 life, the senate, and other appropriate groups.

(5) Advise other university departments and administrative units regarding proposed changes within those departments and units that may affect student rights and responsibilities.

(6) Approve policies that govern the registration, rights, privileges, and obligations of student organizations, including but not limited to fraternities and sororities, student publications, and student government. This responsibility may be delegated by the council to appropriate committees or administrative agencies.

(7) Serve as a channel of communication for the work of all other committees, permanent and ad hoc, that address issues within the domain of the council on student affairs and establish mechanisms by which such committees report regularly to the council on student affairs and through it to the university senate.

(8) Conduct periodic reviews of the application of the “Code of student conduct.” Recommend to the senate any proposed changes to the “Code of student conduct.”

(9) Serve as the sole administrative body for any student activity fees. This responsibility may be delegated by the council to appropriate committees or administrative agencies.

(C) Organization.

(1) The chair shall be elected from among the incoming and continuing student members of the committee during the last meeting of spring quarter. For purposes of this election, all incoming and continuing members shall be eligible to vote; incoming and continuing members may choose alternates if necessary.

(2) The council shall establish operating procedures to conduct, in an orderly fashion, the
functions of the council.


3335-5-48.5 Athletic council.

(A) The athletic council shall consist of fifteen members.

(1) Eight regular tenure-track faculty.

   (a) Four regular tenure-track faculty selected by the faculty council. The term of service is four years with service commencing the first of July following appointment or election.

   (b) Four regular tenure-track faculty members appointed by the president. The term of service is four years with service commencing the first of July following appointment.

(2) Four students.

   (a) One graduate student.

   (b) One professional student.

   (c) Two undergraduate students. The term of service is two years and one student is selected each year.

(3) Two alumni designated by the Ohio state university alumni association using procedures adopted by that body. The term of service is four years and the terms are staggered so that one member retires every two years.

(4) One staff member of the university selected by the university staff advisory committee. The term of service is two years.

(B) Duties and responsibilities.

(1) Develop, subject to the general authority of the president and the board of trustees, policies governing intercollegiate athletics, as the agent of the senate. The senate may hold these policies in review.

   (a) These policies shall guide the administration of the program of intercollegiate athletics by the director of athletics, but the athletic council shall not serve in an administrative or executive capacity.

   (b) It will consider and establish policy on such matters as the income and expenditures budget, the schedules for seasonal and post-seasonal play in relation to the effect upon the welfare of the athletes, grants and other financial aid to athletes, eligibility of athletes, student grievance procedures and sportsmanship policies related to athletics, awards to athletes, ticket distribution, and public and campus relations of the athletic program.

   (c) Its recommendations and decisions on policy shall be made known to the senate and to the staff of the department of athletics.

(2) Participate with the president in the process of selecting a university faculty athletics representative. The faculty athletics representative shall provide advice and oversight for the intercollegiate athletics program at the Ohio state university and represent the
university and its faculty to the NCAA. The faculty athletics representative also shall participate in the assurance of academic integrity of the athletics program; monitor the student-athlete experience; participate in the assurance of the institutional compliance with NCAA and conference regulations; and serve as the senior faculty advisor to the president and the director of athletics concerning the administration of the collegiate athletics program.

(a) When selecting a new faculty athletics representative, the athletic council shall prepare a list of no fewer than two regular tenured faculty members from which the president shall select a faculty athletics representative.

(b) Eighteen months prior to the end of the faculty athletics representative’s final term, the chair of the athletic council shall appoint a nominating committee which shall have the responsibility to inform the university community about the position of faculty athletics representative and to invite applications and/or recommendations for nominations. Brief recommendations in writing that state the candidate's qualifications for the position may be submitted to the nominating committee by any member of the university community. Applications and nominations shall be due in accordance with a reasonable schedule established by the nominating committee.

(c) Final approval of the list of names submitted to the president shall be made by the full membership of the athletic council. The list for the faculty athletics representative position shall be presented to the president in June of the year preceding the start of the next term of office in order to allow for a smooth transition between outgoing and incoming faculty representatives.

(d) The new faculty athletics representative will be appointed faculty athletics representative-elect on July first of the year before becoming faculty athletics representative. The faculty athletics representative-elect shall attend all meetings in which the faculty athletics representative has access to, but the faculty athletics representative-elect shall have no right to vote until the faculty athletics representative-elect becomes the faculty representative.

(e) The term of office for a faculty athletics representative is four years, beginning July first of the year following appointment as faculty athletics representative-elect. Reappointment for no more than two additional four-year terms is permissible. If an incumbent faculty athletics representative is eligible to and desires to serve another term, then at least nine months prior to the expiration of the current term, the athletic council shall complete a review of the incumbent's performance. If the council decides that the incumbent should serve another term and the president concurs, the faculty athletics representative's term shall be renewed. Otherwise, the athletic council shall move immediately to prepare a list to submit to the president following the procedures of paragraphs (B)(2)(a) to (B)(2)(c) of this rule, except for the time limitations.

(f) The faculty athletics representative shall not serve simultaneously as a member of the athletic council, but shall attend meetings of the council. The chair of the athletic council, or the chair's designee from among the faculty members of the athletic council, shall serve as the interim faculty athletics representative with full voting privileges at conference meetings whenever the faculty athletics representative is unavailable.

(g) In the event that the faculty athletics representative does not complete a full term, the faculty athletics representative-elect shall complete the remainder of the uncompleted term. The completion of a term does not constitute a four-year term for purposes of the three four-year term limitation in paragraph (B)(2)(e) of this rule. If there is no faculty athletics representative-elect at the time the faculty athletics representative vacates the position, the chair of the faculty council, or the chair’s designee from among the faculty members of the athletic council, shall serve as the interim faculty
athletics representative until the appointment of a new faculty athletics representative. Upon notice of a vacancy or an imminent vacancy in the faculty athletics representative position, the athletic council shall move immediately to prepare a list to submit to the president following the procedures of paragraphs (B)(2)(a) to (B)(2)(c) of this rule, except for the time limitations.

(C) Organization.

(1) Reports by the council to the president, other than those made through the senate, shall be made through the director of athletics.


3335-5-48.6 Council on enrollment and student progress.

(A) Membership.

The council on enrollment and student progress shall consist of sixteen members.

(1) Nine regular tenure-track faculty.

(a) Three regular tenure-track faculty appointed by the president. Appointed members are eligible for reappointment.

(b) Six regular tenure-track faculty selected by the faculty council.

(2) Six students.

(a) Two graduate students.

(b) Two professional students.

(c) Two undergraduate students.

(3) One administrator. The executive vice president and provost, or designee, non-voting, to serve as administrative liaison for the council.

(B) Duties and responsibilities.

(1) Initiate recommendations and review proposals with regard to policies which affect the characteristics of the student body. The council shall address issues with regard to enrollment planning for undergraduate, graduate, and professional student enrollment. In addition, the council shall address issues related to undergraduate students in regard to recruitment, competitive admissions, intra-university transfers, financial aid, and retention, and coordinate any resulting actions with issues concerning graduate and professional students. Recommendations and advice will be provided to appropriate administrators and offices.

(2) Initiate recommendations and review proposals with regard to policies which affect the processes by which undergraduate students enroll, register, and carry out other administrative functions related to the completion of their coursework and/or degree requirements. Recommendations and advice shall be provided to appropriate administrators and offices.

(3) Initiate recommendations and review proposals with regard to policies and procedures
pertinent to students’ passage through the institution, including, but not limited to, the university calendar, student records, approval of transfer credit, and quarter-end validation procedures.

(4) Encourage the collection of data and participate in the analysis of data which will support the development of informed policies on issues within the council’s domain and include a summary of such data in the annual report to the senate.

(5) Serve as a channel of communication for the work of all other committees, permanent and ad hoc, which address issues within the domain of the council of enrollment and student progress and establish regular mechanisms by which such committees report regularly to the council on enrollment and student progress and through it to the university senate.

(C) Organization.

(1) The chair and chair-elect shall be elected from among the voting members. The chair-elect shall serve as vice chair.

(2) Reports by this council to the president, other than those made through the senate, shall be made through the executive vice president and provost.


3335-5-48.7 Committee on academic misconduct.

(A) Membership.

The committee on academic misconduct shall consist of thirty-four members.

(1) Eighteen regular tenure-track faculty. Faculty members are eligible for reappointment, but may not serve more than two consecutive terms.

(2) Fourteen students.

(a) Seven graduate students.

(b) Seven undergraduate students. The term of service shall begin with the summer quarter.

(3) Two administrators.

(a) The vice president for student life or designee, non-voting.

(b) A coordinator, appointed by the executive vice president and provost, who shall not participate in the decisions of the committee.

(4) Alternate members.

Faculty and students who have been regular members of the committee during the previous three years shall be eligible to be alternate members, providing they remain at the university in their same category.

(B) Duties and responsibilities.

(1) Investigate or establish procedures for the investigation of all reported cases of student academic misconduct, with the exception of cases in a professional college having a
published honor code, and decide upon suitable disciplinary action. (The term "academic misconduct" is defined in paragraph (A) of rule 3335-23-04 of the Administrative Code.) Instructors shall report all instances of alleged academic misconduct to the committee.

(2) Investigate all cases of lax or irregular methods of conducting examinations that might tend to promote academic misconduct on the part of students, with the exception of cases in a professional college having a published honor code. The committee shall report its findings in these cases to the executive vice president and provost.

(3) Serve as a consultant on questions of academic misconduct for any professional college having a published honor code. (Note: this committee shall not have jurisdiction over cases involving student academic misconduct in professional colleges having published honor codes. These colleges shall follow their own codes in investigating reported cases of academic misconduct and in determining suitable disciplinary action. When the action taken involves suspension, dismissal, or entry on the student's permanent record, a recommendation to that effect shall be made to the executive vice president and provost for review and action.)

(C) Organization.

(1) The committee on academic misconduct is authorized to:

(a) Establish panels of its members which will conduct hearings and make decisions with the same authority as the committee itself;

(b) Establish rules and procedures to conduct hearings, including the definition of a quorum.

(2) If the caseload of the committee should from time to time become such that cases cannot be set for hearing within four weeks (excluding periods of examinations or between quarters), the chair shall be empowered to ask alternate members to serve voluntarily and temporarily as members of hearing panels.


3335-5-48.8 Committee on honorary degrees.

(A) Membership.

The committee on honorary degrees shall consist of seven regular tenure-track faculty members. There shall be no more than two faculty members from the same college. The term of service is five years.

(B) Duties and responsibilities.

(1) Establish definite standards of scholarly attainment or of the distinctive applications of such attainment in the service of society by which to judge the qualifications for this honor.

(2) Establish procedures for the nomination of potential candidates for honorary degrees.

(3) Receive nominations concerning persons who might be considered for an honorary degree.

(4) Review thoroughly the achievements and qualifications of all persons nominated.

(5) Report to the university senate for its consideration and action such persons as have received no fewer than four affirmative votes from the committee membership.
(6) Keep all deliberations and votes confidential except where publication is necessary for official purposes.

(7) Deliver the full dossier of each candidate and the nomination report of the committee on honorary degrees to the secretary of the university senate who shall distribute the nomination report to all members of the university senate.

(a) This report shall include a statement that conveys the committee's rationale for the nomination, pertinent details concerning the qualifications of the candidate, and the name of the sponsoring department or academic unit.

(b) A ballot shall be attached to the nomination report and shall be returned to the secretary of the university senate within a time prescribed on the ballot, but in no case less than two weeks from the date that the committee report is distributed.

(c) The secretary of the university senate shall transmit to the president the nominations, together with the appropriate section of the reports from the committee on honorary degrees, for those candidates who are endorsed by a majority of the ballots cast by the members of the university senate.

(C) Organization.

(1) The executive vice president and provost, or designee, shall serve as liaison between this committee and the president.


3335-5-48.9 Committee on academic freedom and responsibility.

(A) Membership.

The committee on academic freedom and responsibility shall consist of eight members during autumn, winter, and spring quarters and ten members from June to the beginning of autumn quarter.

(1) Six regular tenure-track faculty (eight during the summer period), at least three of whom are members of the senate or members-elect at the time of their selection by the faculty council. The term of service begins in the summer quarter following election and extends through the summer quarter following the third year of service.

(2) Two graduate teaching, research, or administrative associates.

(B) Duties and responsibilities.

(1) Study all conditions which may affect the academic freedom or responsibility of the faculty of the university, including the review of proposed changes in the "Faculty Handbook," Chapter 3335-6 of the Administrative Code (rules of the university faculty concerning faculty appointments, reappointments, promotion and tenure), and such changes in the "Operating Manual" as may impinge upon academic freedom or tenure. If the committee finds that any such proposed change adversely affects academic freedom or tenure, it shall report that finding promptly to the senate for its review.

(2) Hear and investigate complaints by individual faculty members concerning alleged infringements upon academic freedom or responsibility in the university; report findings and
recommendations to the parties involved with the hope of mediating a dispute and report to the senate if further action by the senate is appropriate.

(3) Hear and investigate complaints by individual faculty members concerning alleged improper evaluation under the procedures of rule 3335-5-05 of the Administrative Code.

(C) Organization.

(1) A quorum consists of five members.


3335-5-48.10 Faculty hearing committee.

(A) Membership.

The faculty hearing committee shall consist of twenty-four tenured members of the regular faculty selected by the faculty council. Each elected person shall serve a four-year term as a regular member followed by a one-year term as an alternate member.

(B) Duties and responsibilities.

(1) Conduct hearings on appeals by respondents charged under rule 3335-5-04 of the Administrative Code following the procedures of paragraph (H) of this rule.

(2) Conduct hearings on complaints of alleged improper evaluation based upon reasons or considerations that infringe a constitutional right of the complainant following procedures of paragraph (C)(4) of rule 3335-5-05 of the Administrative Code.

(3) Conduct hearings on allegations of improper evaluation based upon inadequate consideration of the pertinent facts by the individual(s) making the decision following procedures of paragraph (C)(5) of rule 3335-5-05 of the Administrative Code.

(4) Conduct hearings on an appeal of a tenured faculty member because of termination of appointment during financial exigency following procedures of paragraph (B) of rule 3335-5-02.3 of the Administrative Code.

(C) Organization.

(1) The chair shall select three members of the committee to sit on each hearing panel. If disqualifications or case loading should require their service, alternates may be assigned to hearing panels.

(2) The chair of the hearing committee shall rule on any objection by any party to the proceedings that a member of the panel should be replaced because of a relationship to one of the parties, a prior or current involvement with the facts or issues, or personal bias which may introduce prejudice.

(3) A panel member or alternate may recuse himself or herself for any of the reasons stated in rule 3334-5-48.10 (C)(2).

(4) A hearing panel shall select a person, who need not be a member of the faculty hearing committee, to serve as presiding officer. The presiding officer shall direct the proceedings, rule on matters involving the introduction of evidence, and advise the panel members on such issues of law and procedures as they may deem necessary. The presiding officer, if not a member of the committee, shall not participate in substantive deliberations with the panel nor vote on decisions by the panel.

3335-5-48.11 Fiscal committee.

(A) Membership.

The fiscal committee shall consist of twenty-two members.

(1) Nine regular tenure-track faculty members.

(a) Eight regular tenure-track faculty, at least one of whom is a department chair, and at least two of whom are members of the senate, selected by the faculty council.

(b) One regular tenure-track faculty appointed by the president.

(2) Four students.

(a) One graduate student. The term of service is two years.

(b) One professional student. The term of service is two years.

(c) Two undergraduate students at least one of whom is a member of the senate. The term of service is two years.

(3) Three staff members appointed for three-year terms.

(a) Two department-, school-, center- or college-level staff members with extensive fiscal and budgetary experience and expertise, one selected by the faculty council in consultation with the university staff advisory committee, and one selected by the executive deans in consultation with the senior fiscal officers.

(b) One staff member appointed by the president.

(4) Six administrators.

(a) Two central administration officials appointed by the president. These members are non-voting.

(b) The four executive deans.

(B) Duties and responsibilities.

The committee shall have full access to all fiscal documentation necessary to perform the following functions:

(1) Review, on a continuing basis, the fiscal policies and resources of the university;

(2) Advise the president on the alternatives and strategies for the long-term and short-term allocation of university resources consistent with maintaining the missions of the university;

(3) Analyze resources and budgets from an overall university-wide perspective, rather than making a detailed analysis of the budgets and expenditures of individual units within the university;

(4) Advise the president, in the event of an imminent financial crisis, whether a determination
of financial exigency is warranted; and

(5) Report annually to the faculty council and the senate on the budgetary and fiscal condition of the university.

(C) Organization.

(1) The committee shall annually elect a chair from its faculty membership.


3335-5-48.12 Faculty compensation and benefits committee.

(A) Membership.

The faculty compensation and benefits committee shall consist of fifteen members.

(1) Twelve regular tenure-track faculty, at least two of whom are members of the senate.

(2) Two administrators.

(a) The executive vice president and provost, or designee.

(b) The associate vice president for human resources, or designee.

(3) An emeritus member from the regular tenure-track faculty appointed annually by the president in consultation with the Ohio state university retirees association.

(4) Additional non-voting members and consultants from the university, serving at the discretion of the voting members of the committee.

(B) Duties and responsibilities.

Study the adequacy and other attributes of the university's policies and provisions for:

(1) Salaries, outside professional services and supplemental compensation;

(2) Retirement benefits, hospitalization and medical insurance and other health benefits, life insurance, other insurance, travel reimbursement, educational benefits, recreational benefits, and other perquisites, benefits, and conditions of faculty employment.

(C) Organization.

(1) The committee shall designate two standing subcommittees to concentrate, respectively, on:

(a) Faculty salaries and related matters;

(b) Faculty benefits.


(A) Membership.
The government affairs committee shall consist of:

1) six regular faculty members.

2) four students:
   (a) one graduate student.
   (b) one professional student.
   (c) two undergraduate students.

3) one staff member, appointed by the president. The term of service is one year.

4) three administrators, non-voting:
   (a) the senior vice president for government affairs, or designee.
   (b) the associate vice president for government affairs.
   (c) the provost, or designee.

(B) Duties and responsibilities.

1) The committee shall study and evaluate local, state, federal, and the Ohio board of regents’ issues (both regulatory and budgetary) that relate to the missions of the university. It shall provide insight and advice to the office of government affairs and to the university senate on these issues.

2) The committee shall facilitate communication among university faculty and governance offices regarding local, state, federal, and the Ohio board of regents’ issues that affect the university’s mission.

3) The members of the government affairs committee are not official representatives of the university. As such, members shall not engage in lobbying local, state, or federal governmental officials on the behalf of the university. However, this stipulation does not restrict individuals’ rights to voice their personal or professional opinions as long as it is clear they are not acting as an agent of the university.

4) The committee shall provide an annual report of activities to the university senate.

(C) Organization.

1) The committee shall annually elect a chair and chair-elect from its regular faculty membership.

   (a) The chair of the government affairs committee shall also serve as one of the representatives of the Ohio state university faculty council to the Ohio faculty council.

   (b) The chair-elect will serve as the vice chair.

(A) Membership.

The university research committee shall consist of 16 voting and 3 non-voting members.

(1) Twelve regular faculty members drawn from no less than eight colleges. Faculty with joint appointments across colleges may be chosen to represent either college. The term of service is three years.

   (a) Eight regular faculty members appointed by the executive committee of faculty council, at least three of whom are members of the senate and at least one of whom is a distinguished university professor or Ohio eminent scholar.

   (b) Four regular faculty members appointed by the president.

(2) One research scientist, or comparable staff member engaged in research, appointed by the senior vice president for research. The term of service is three years.

(3) Three student appointed by the respective governing bodies to one-year terms.

   (a) Two graduate students.

   (b) One undergraduate student.

(4) Ex officio members, non-voting (or their designees).

   (a) The senior vice-president for research.

   (b) The dean of the graduate school.

(5) The senate fiscal committee chair, or her or his designee, nonvoting.

(B) Duties and responsibilities.

(1) Encourage and stimulate scholarly research and creative activity and foster a close relationship between education and scholarly research.

(2) Advise the senior vice president for research.

(3) Review, on a continuing basis, the policies and practices governing the conduct of research and scholarly activity.

(4) Coordinate with the governing bodies of the graduate school and with the office of undergraduate research.

(5) Make recommendations concerning the establishment, affiliation or abolition of centers or comparable organization that are primarily engaged in research.

(6) Collaborate in reviews of the budget of the office of research undertaken by the senate fiscal committee.

(C) Organization.

(1) The committee shall annually elect a chair from its regular faculty membership in the spring quarter preceding the academic year of service for no more than three consecutive one-year terms.

(2) As a standing committee of the senate, this committee is also governed by the provisions of rules 3335-5-46 and 3335-5-48 of the Administrative Code. (B/T 6/7/91, B/T 11/4/94,
Council on the physical environment.

(A) Membership.

The council on the physical environment shall consist of sixteen members.

1) Seven regular tenure-track faculty members.
   a) Five regular tenure-track faculty members selected by the faculty council.
   b) Two regular tenure-track faculty members appointed by the president.

2) Four students.
   a) One graduate student.
   b) One professional student.
   c) Two undergraduate students, one representing on-campus students and one representing off-campus students.

3) Two staff members appointed by the steering committee upon the recommendation of the staff advisory committee. The term of service is three years.

4) Three administrators, non-voting.
   a) The vice president for business and finance.
   b) The senior vice president for business and finance or designee.
   c) The executive vice president and provost or designee.

(B) Duties and responsibilities.

1) Take a broad and encompassing perspective on the physical environment of the university as it affects the academic enterprise and quality of life for the university community. Propose policies, review and recommend action regarding proposed major projects, and consult with university administration about matters within its domain.

   a) Teaching and learning environment: adequate classroom and teaching laboratory space; priorities for new construction to advance the academic enterprise; and priorities for renovation of academic facilities, especially classrooms and teaching laboratories.

   b) Movement around campus: policies and projects to ease movement around campus by all relevant means, including but not limited to pedestrian, bicycle, motorized traffic, and mass transportation; policies and proposals concerning parking, public safety including institutional security, fire safety, risk reduction, and personal safety.

   c) The campus and the university district environment: activities undertaken to facilitate campus master planning and to implement the plans adopted; initiatives undertaken to advance the objectives of improving conditions in the university district, and activities of affiliated entities to promote these initiatives.

2) Recommend items for senate action, review matters within its purview, hear periodic reports from relevant university organizations and administrative offices, and report annually to the senate.
(C) Organization.

(1) The committee shall elect a chairperson from among its voting members. A chairperson shall serve a one-year term, and no more than one additional one-year term if reelected.


3335-5-48.16 Diversity committee.

(A) Membership.

The diversity committee shall consist of sixteen members.

(1) Eight regular tenure-track faculty.

   (a) Six regular tenure-track faculty selected by the faculty council.

   (b) Two regular tenure-track faculty appointed by the president.

(2) Three staff members.

   (a) Two staff members selected by the university staff advisory council. The term of service is three years.

   (b) One staff member appointed by the president. The term of service is three years.

(3) Three students.

   (a) One graduate student.

   (b) One professional student.

   (c) One undergraduate student.

(4) Two administrators, non-voting.

   (a) The executive vice president and provost, or designee.

   (b) The associate vice president for human resources, or designee.

(B) Duties and responsibilities.

The committee shall study issues that relate to the implementation of the university nondiscriminatory policy. It shall recommend policies that foster an environment of civility, tolerance, and mutual respect. It shall perform the following functions with appropriate administrative support from the office of academic affairs and the office of human resources.

(1) Study and evaluate issues affecting diversity from an overall university perspective.

(2) Be informed on external requirements on the university affecting diversity.

(3) Advise the president, the executive vice president and provost, the associate vice president for human resources, and the vice president for student life about the institutional climate, policies, and priorities for ensuring justice, fairness, and equitable treatment to all members of the university.
(4) Educate and inform the university community on issues of diversity, including the letter and spirit of all Ohio and federal rules regarding members of protected classes.

(5) Oversee administration of university affirmative action grants and awards.

(6) Report annually to the university senate.

(C) Organization.

(1) The committee shall elect a chair from among its voting members.


3335-5-48.17 Committee for evaluation of central administrators.

(A) Membership.

The committee for evaluation of central administrators shall consist of eight members.

(1) Six tenured faculty members appointed in the spring by the president from a slate nominated by the executive committee of faculty council.

(a) The term of service is three years. Members shall not be reappointed to a second term until they have been off the committee for at least two years, except that a member may be reappointed immediately if that person was appointed to fill a vacant position with a remaining term of less than two years.

(b) A chair will be elected each spring from among the faculty members serving on the committee.

(2) Two administrators, appointed by and serving at the pleasure of the president. The term of service is three years.

(B) Duties and responsibilities.

(1) During spring quarter, the executive committee of faculty council, on behalf of the steering committee, shall meet with the president and provost to identify two central administrators for review. All senior central administrators, such as vice provosts, and members of the president’s council, are eligible to be reviewed.

(2) The review panels shall be responsible for evaluating the effectiveness of the central administrator and the office in carrying out the responsibilities of the office. The review will begin no later than the start of autumn quarter of the following academic year, and finish no later than the end of December.

(3) The review panel will, after its review and evaluation, present a written report to the president and provost. The review panel will also send a copy of the written report to the person being reviewed and will inform the steering committee that the review process has been completed.

(4) The chair of the committee shall monitor the activities of the review panels and advise the review panels on matters of procedure.

(C) Organization of review panels.
In the spring preceding the academic year in which the review is to be conducted, the committee shall organize itself into two review panels, each review panel to be organized as follows:

1. Three faculty members from the committee, one of whom is designated by the president or provost, in consultation with the committee chair, as chair of the review panel.

2. One administrator from the committee.

3. One student member appointed by the provost if a vice provost or senior vice provost is under review or by the president if a vice president or senior vice president is being reviewed.

4. One staff member appointed by the provost if a vice provost or senior vice provost is under review or by the president if a vice president or senior vice president is being reviewed.

5. One to three additional regular faculty members, if needed, nominated by the committee chair and appointed by the president or provost after consultation with the committee. (B/T 2/7/2003, B/T 6/7/2005, 9/9/2011)

3335-5-48.18 Graduate associate compensation and benefits committee.

(A) Membership.

The graduate associate compensation and benefits committee shall consist of eleven voting members.

1. Six funded graduate students, at least one of whom must be a member of the council on research and graduate studies and one of whom must be a member of the university senate. Two shall have a term of service of two years, staggered so that one term expires at the end of each year. The remaining four shall have a term of service of one year.

   (a) There shall be at least one graduate teaching associate.

   (b) There shall be at least one graduate research associate.

   (c) There shall be at least one graduate administrative associate.

   (d) There shall be at least one fellowship recipient.

2. Two faculty.

   (a) One faculty member from, and selected by, the council on research and graduate studies.

   (b) One faculty member, who is also a senator, selected by the executive committee of faculty council.

3. Three administrators.

   (a) The dean of the graduate school, or designee.

   (b) The associate vice president for human resources, or designee.

   (c) The senior vice president for research, or designee.

4. One department, school, center or college-level staff member with extensive fiscal and budgetary experience and expertise, selected by the executive deans in consultation with the senior fiscal officers, non-voting.
(5) Additional non-voting members and consultants from the university, serving at the
discretion of the voting members of the committee.

(B) Duties and responsibilities.

(1) Study the adequacy and other attributes of the university's policies and provisions including
stipends, outside professional services, and supplemental compensation.

(2) Conduct research and provide advice on economic support of graduate associates,
professional development, quality and design of benefit programs, and appointment terms.

(3) Make recommendations to the university senate, the council on research and graduate
studies, and the office of academic affairs as appropriate.

(C) Organization.

(1) The committee shall annually elect a chair from its regular student membership.

(2) As a standing committee of the senate, this committee is also governed by the provisions

3335-5-49 Other committees of the university.

(A) Other committees of the university may be designated by the board of trustees or, subject to
the approval of the board of trustees, the president or university senate. These committees
shall have no direct affiliation with the senate.

(B) Unless otherwise specified by rule, the president shall appoint the members of these
committees. (B/T 5/1/86)

3335-5-49.2 Standing committee on agricultural affairs.

(A) The standing committee on agricultural affairs shall be appointed by the board of trustees.

(B) The committee shall include:

(1) The director of the Ohio department of agriculture who shall be vice chair, ex officio with
voting rights;

(2) Such other members as the chair of the board of trustees may designate. (B/T 5/1/86, B/T
5/3/96)

3335-5-49.3 Faculty committee on patents and copyrights.

(A) A faculty committee on patents and copyrights has been designated in the policy on patents
and copyrights approved by the board of trustees.

(B) The membership and duties of the faculty committee on patents and copyrights are described
in paragraph (C) of rule 3335-13-06 of the Administrative Code. (B/T 5/1/86)

3335-5-49.4 Ohio faculty council.

(A) The university's representation to the Ohio faculty council (OFC) shall be the chair of faculty
council and the chair of the senate university senate government affairs committee. The chair
of the university senate steering committee and the secretary of the university senate shall
serve as alternates.

(B) The representatives to the OFC shall report annually to the senate. (B/T 7/10/87, B/T 5/5/88,
Chapter 3335-6

Rules of the university faculty concerning tenure-track faculty appointments, reappointments, promotion and tenure

3335-6-01 General considerations.

(A) Peer review provides the foundation for decisions regarding faculty appointment, reappointment, and promotion and tenure (except when the provisions of paragraph (H) of rule 3335-6-03 of the Administrative Code are invoked.) Peers are those faculty who can be expected to be most knowledgeable regarding an individual's qualifications and performance--normally tenure initiating unit colleagues. Because of the centrality of peer review to these review processes, faculty vested with responsibility for providing peer review have an obligation to participate fully and knowledgeably in review processes, to exercise the standards established in faculty rule 3335-6-02 of the Administrative Code and other standards specific to the academic unit and discipline, and to make negative recommendations when these are warranted to maintain and improve the quality of the faculty. Recommendations by the faculty vested with the responsibility for providing peer review will be accepted unless they are not supported by the evidence presented regarding how the candidate meets the standards established in faculty rule 3335-6-02 of the Administrative Code and other standards specific to the academic unit and discipline. When, for the reasons just stated, a decision regarding faculty appointment, reappointment, or promotion and tenure differs from the recommendation of the faculty, the administrator or body making that decision will communicate in writing to the faculty body that made the recommendation the reasons that the recommendation was judged not to be supported by the evidence.

(B) In accordance with a policy of equality of opportunity, decisions concerning appointment, reappointment, and promotion and tenure shall be free of discrimination as to race, creed, religion, national origin, age, sex, disability, veteran status, or sexual orientation. (B/T 10/5/84, B/T 4/8/88, B/T 11/2/90, B/T 5/3/96, B/T 6/4/2004, B/T 6/5/2009)

3335-6-02 Criteria for appointment, reappointment, and promotion and tenure of tenure-track faculty.

(A) The Ohio state university has as its stated mission "the attainment of international distinction in education, scholarship, and public service." For purposes of faculty performance reviews under these rules "public service" is broadly defined to include administrative service to the university, professional service to the faculty member's discipline, and the provision of professional expertise to public and private entities beyond the university and shall be referred to simply as "service" for the remainder of this chapter. For purposes of faculty performance reviews under these rules "scholarship" is broadly defined to include "research, scholarly, and creative work."

Each tenure initiating unit is responsible for establishing criteria for appointment, reappointment, and promotion and tenure that are consistent with this mission and for ensuring that every faculty appointment, reappointment, and promotion and tenure recommendation is consistent with this mission.

Appointment decisions for regular faculty positions, as defined in rule 3335-5-19 of the Administrative Code, must be based on criteria that reflect strong potential to attain tenure and advance through the faculty ranks. A minimum requirement for appointment at or promotion to the rank of assistant professor or a higher rank is an earned doctorate or other terminal degree in the relevant field of study or possession of equivalent experience. Appointments at the rank of instructor should normally only be made when the offered appointment is that of assistant professor but the appointee has not completed the required terminal degree at the onset of the appointment.

(B) No faculty member attains tenure automatically. Tenure may be acquired either in the original appointment to the regular tenure-track faculty rank of associate professor or professor or upon promotion from within the university to the rank of associate professor, or following a successful
probationary period at the rank of associate professor or professor (as specified in rule 3335-6-03 of the Administrative Code). Tenure will not be awarded below the rank of associate professor.

(C) The awarding of tenure and promotion to the rank of associate professor must be based on convincing evidence that the faculty member has achieved excellence as a teacher, as a scholar, and as one who provides effective service; and can be expected to continue a program of high quality teaching, scholarship, and service relevant to the mission of the academic unit(s) to which the faculty member is assigned and to the university. Promotion to the rank of professor must be based on convincing evidence that the faculty member has a sustained record of excellence in teaching; has produced a significant body of scholarship that is recognized nationally or internationally; and has demonstrated leadership in service.

(D) In evaluating the candidate's qualifications in teaching, scholarship, and service, reasonable flexibility shall be exercised, balancing, where the case requires, heavier commitments and responsibilities in one area against lighter commitments and responsibilities in another. In addition, as the university enters new fields of endeavor, including interdisciplinary endeavors, and places new emphases on its continuing activities, instances will arise in which the proper work of faculty members may depart from established academic patterns. In such cases care must be taken to apply the criteria with sufficient flexibility. In all instances superior intellectual attainment, in accordance with the criteria set forth in these rules, is an essential qualification for promotion to tenured positions. Clearly, insistence upon this standard for continuing members of the faculty is necessary for maintenance and enhancement of the quality of the university as an institution dedicated to the discovery and transmission of knowledge.

(E) Each tenure initiating unit shall have an appointments, promotion, and tenure document. The document shall describe, in qualitative terms, the unit's criteria for appointments, promotion, and tenure and evidence to be provided to support a case within the context of the unit's mission and the standards set forth in this rule as well as the mission and standards of the college. The document should indicate with some specificity how the quality and effectiveness of teaching, the quality and significance of scholarship, and the quality and effectiveness of service are to be documented and assessed. The document of a tenure initiating unit with regional campus faculty must establish criteria for appointments, promotion, and tenure for these faculty within the context of the regional campuses' mission as well as that of the tenure initiating unit. The document shall also describe the unit's procedures for conducting annual performance reviews of probationary faculty and reviews for promotion and tenure.

The document must be drawn up or amended through broad faculty consultation with all voting members of the tenure initiating unit according to the principles articulated in paragraph (C)(3) of rule 3335-3-35 of the Administrative Code and must be approved by the dean of the college and the executive vice president and provost.

(F) Each college shall have an appointments, promotion, and tenure document. The document shall describe, in qualitative terms, the college's criteria for appointments, promotion, and tenure within the context of the college's mission and the standards set forth in this rule. The document shall also describe the college's procedures for conducting college level reviews for promotion and tenure.


3335-6-03 Probationary service, and duration of appointments for tenure-track faculty.

(A) Probationary periods are established for regular tenure-track faculty members. During a probationary period a faculty member does not have tenure and is considered for reappointment annually.

(B) Length of probationary period.
(1) An appointment as professor or associate professor will generally entail tenure. However, a probationary period not to exceed four years may be granted by the office of academic affairs upon petition of the tenure initiating unit and college. For the petition to be approved, a compelling rationale must be provided regarding why appointment at a senior rank is appropriate but tenure is not. All appointments to the rank of associate professor or professor require prior approval of the executive vice president and provost.

An appointment to the rank of instructor is always probationary and may not exceed three years. An instructor must be approved for promotion to assistant professor by the beginning of the third year of appointment or the appointment will not be renewed beyond the end of the third year. When an instructor is promoted to the rank of assistant professor, prior service credit may be granted for time spent as an instructor if the faculty member requests such credit in writing at the time of the promotion. This request must be approved by the tenure-initiating unit's eligible faculty, the tenure-initiating unit head, the dean of the college, and the office of academic affairs.

An appointment to the rank of assistant professor is always probationary and may not exceed six years, including prior service credit. An assistant professor is reviewed for promotion and tenure no later than the sixth year of appointment as an assistant professor and informed by the end of the sixth year as to whether promotion and tenure will be granted at the beginning of the seventh year.

(2) Promotion and tenure may be granted at any time during the probationary period when the faculty member's record of achievement merits tenure and promotion. Similarly, a probationary appointment may be terminated at any time subject to the notice provisions of rule 3335-6-08 of the Administrative Code and the provisions of paragraphs (G), (H), and (I) of this rule.

(3) Probationary tenure-track faculty members will be informed no later than the end of the year in which their mandatory review for tenure takes place as to whether tenure will be granted by the beginning of the following year. If tenure is not granted, a one year terminal year of employment is offered.

(C) Annual review of probationary tenure-track faculty members.

(1) At the time of appointment, probationary tenure-track faculty members shall be provided with all pertinent documents detailing tenure initiating unit, college, and university promotion and tenure policies and criteria. If these documents are revised during the probationary period, probationary tenure-track faculty members shall be provided with copies of the revised documents.

(2) During a probationary period a tenure-track faculty member shall be reviewed annually in accordance with this rule and with policies of the tenure initiating unit, college and university. The annual review should encompass the faculty member's performance in teaching, in scholarship, and in service; as well as evidence of continuing development. The involvement of tenure initiating unit faculty in annual reviews is strongly encouraged. External evaluations of the faculty member's work, required for tenure and promotion reviews, may be obtained for any annual review if judged appropriate by the faculty review body or tenure initiating unit chair. The tenure initiating unit chair shall inform probationary faculty members at the time of initial appointment, and in a timely fashion each year thereafter, when the annual review will take place and provide a copy of the office of academic affairs dossier outline to be completed by the faculty member in reporting accomplishments to date. At the completion of the review the tenure initiating unit chair shall provide the faculty member and the dean of the college with a written assessment of the faculty member's performance and professional development. The assessment should include both strengths and weaknesses, as appropriate. If the chair's recommendation is to reappoint the faculty member to another probationary year of service, that recommendation shall be final. A recommendation from the chair to not reappoint the faculty member to another probationary year requires a review that follows fourth year
review procedures (see paragraph (G) of this rule) and the dean shall make the final
decision in the matter. All annual review letters to date shall become a part of a faculty
member’s dossier for subsequent annual reviews during the probationary period, including
the review for promotion and tenure.

(3) When probationary tenure-track faculty receive their annual review, the tenure initiating unit
chair shall inform them of their right to review their primary personnel file maintained by
their tenure initiating unit and to place in that file a response to any evaluation, comment or
other material contained in the file (see rule 3335-3-35 of the Administrative Code).

(4) The fourth year review of probationary tenure-track faculty shall follow the same process as
the review for tenure and promotion at the tenure initiating unit and college levels with two
exceptions: Solicitation of external letters of evaluation may or may not be required by the
tenure initiating unit and review by the college promotion and tenure committee shall be
optional in all cases where both the tenure initiating unit and the dean approve the renewal
of the appointment. Renewal of the appointment of a probationary assistant professor for
the fifth year requires the approval of the dean of the college. Before reaching a negative
decision or a decision contrary to the tenure initiating unit's recommendation, the dean
must consult with the college promotion and tenure committee.

(D) Exclusion of time from probationary periods.

(1) An untenured regular tenure-track faculty member will have time excluded from the
probationary period in increments of one year to reflect the caregiving responsibilities
associated with the birth of a child or adoption of a child under age six. Department chairs
or school directors will inform the office of academic affairs within one year of the birth of a
child or the adoption of a child under age six of a probationary faculty member unless the
exclusion of time is prohibited by paragraph (D)(3) of this rule. The probationary faculty
member may choose to decline the one-year exclusion of time from the probationary period
granted for the birth or adoption of a child under six years of age by so informing her/his
TIU head, dean, and the office of academic affairs in writing before April 1 of the new
mandatory review year following granting of the declination. The exclusion of time granted
under this provision in no way limits the award of promotion and tenure prior to the
mandatory review year (see paragraph (D)(2) of this rule). The maximum amount of time
that can be excluded from the probationary period per birth event or adoption of children
under age six is one year.

(2) A probationary tenure-track faculty member may apply to exclude time from the
probationary period in increments of one year because of personal illness, care of a
seriously ill or injured person, an unpaid leave of absence, or factors beyond the faculty
member's control that hinder the performance of the usual range of duties associated with
being a successful university faculty member, i.e., teaching, scholarship, or service.
Requests to exclude time from the probationary period made under the terms of this
paragraph must be submitted to the chair of the tenure initiating unit. Requests shall be
reviewed by the tenure initiating unit promotion and tenure committee which shall advise
the tenure initiating unit chair regarding their appropriateness. Such requests require
approval by the tenure initiating unit chair, dean, and executive vice president and provost.
A request to exclude time from the probationary period for any of these reasons must be
made prior to April 1 of the year in which the mandatory review for tenure must occur. The
extent to which the event leading to the request was beyond the faculty member's control,
the extent to which it interfered with the faculty member's ability to be productive, and the
faculty member's accomplishments up to the time of the request will be considered in the
review of the request.

(3) A request to exclude time from the probationary period for any reason will not be granted
after a nonrenewal notice has been issued nor will previously approved requests to exclude
time from the probationary period in any way limit the university's right not to renew a
probationary appointment.

(4) Except in extraordinary circumstances a maximum of three years can be excluded from the
probationary period for any reason or combination of reasons for an instructor, assistant professor or associate professor. Exceptions require the approval of the tenure initiating unit chair, dean, and executive vice president and provost.

(5) Tenure-track faculty members will be reviewed annually during their probationary periods regardless of whether time is excluded from that period for any of the above reasons unless their absence from campus during an excluded period makes conduct of such a review impractical.

(6) For purposes of performance reviews of probationary faculty, the length of the probationary period is the actual number of years of employment at this university less any years of service excluded from the probationary period under the terms of this rule. Expectations for productivity during the probationary period cannot be increased as a consequence of exclusions of time granted under the terms of this rule.

(E) Service credit of up to three years may be granted for prior work experience at the time of the initial appointment and requires the approval of the tenure initiating unit chair, dean, and executive vice president and provost. Prior service credit shortens a probationary period by the amount of the credit and once granted cannot be revoked except through an approved request to exclude time from the probationary period. Prior service credit will not be granted for employment in any auxiliary title (such as adjunct, visiting, clinical, or lecturer), special title (such as graduate associate) or part-time position (less than fifty per cent service).

(F) Probationary regular tenure-track faculty members on less than full-time service for part or all of their probationary period may request an extension of the probationary period. The extension must be requested prior to the beginning of the year in which the normally scheduled mandatory review for tenure would take place and requires approval of the tenure initiating unit chair, dean, and executive vice president and provost. The extension shall be for an integral number of years based on the principle that the usual probationary period represents full-time service. The maximum permissible extension of a probationary period under this paragraph is one year for a probationary instructor, three years for a probationary assistant professor (including time spent at the rank of instructor) and one year for a probationary associate professor or professor.

(G) Probationary appointments may be terminated during any probationary year because of inadequate performance or inadequate professional development. At any time other than the fourth year review or mandatory review for tenure, a nonrenewal decision must be based on the results of a formal performance review conducted in accord with fourth year review procedures as set forth in paragraph (C)(3) of this rule. Notification of nonrenewal must be consistent with the standards of notice set forth in rule 3335-6-08 of the Administrative Code.

(H) Probationary appointments may be terminated for fiscal or programmatic reasons. When nonrenewal is based on fiscal or programmatic reasons, the faculty member should be advised that such nonrenewal is a possibility and formal notice of nonrenewal should be provided as soon as possible after the need for nonrenewal is established. Nonrenewal of a probationary appointment for fiscal or programmatic reasons does not entail a performance review and requires the prior approval of the executive vice president and provost. Because hiring decisions should be based on informed assumptions regarding the future availability of resources and of programmatic needs, approval of such nonrenewals will be based on the extent to which convincing evidence is provided that the fiscal or programmatic reasons for the nonrenewal could not be anticipated when the appointment was made and are expected to be long lasting.

(I) Decisions affecting the nonrenewal of a probationary appointment may not be arbitrary or capricious or carried out in violation of a faculty member’s right to academic freedom. Faculty rule 3335-5-05 of the Administrative Code provides a procedural mechanism under which an aggrieved probationary faculty member can challenge a nonrenewal decision believed to have been improper. In that instance, however, the burden of proof is on the probationary faculty

3335-6-04 Promotion and tenure review procedures for tenure-track faculty.

(A) General considerations.

(1) In consultation with the rules committee or its designee, the office of academic affairs shall develop and promulgate procedural guidelines for promotion and tenure reviews to supplement Chapter 3335-6 of the Administrative Code. These guidelines shall include a dossier outline to be used for the documentation of accomplishments by all candidates to be reviewed for promotion and tenure and by all probationary tenure-track faculty for annual reviews. The guidelines shall also include general information about the review process at the college and university level, information about any legal considerations affecting promotion and tenure evaluations, examples of criteria by which candidates for promotion and tenure are evaluated, and other information intended to assist academic units in carrying out reviews.

(2) All candidates for promotion and tenure are reviewed by the eligible faculty and by the chair of their tenure initiating unit. Candidates will also be reviewed at the college and university levels. The tenure initiating unit chair is responsible for informing the candidate in writing of the provost's final decision (if negative) or recommendation to the board of trustees (if positive).

(3) The review for tenure during the final year of a probationary period is mandatory and must take place.

A faculty member may ask to be considered for nonmandatory promotion and tenure review or for promotion review at any time; however, the tenure initiating unit promotion and tenure committee may decline to put forth a faculty member for formal nonmandatory promotion and tenure review or promotion review if the candidate's accomplishments are judged not to warrant such review. The promotion and tenure committee may not deny a tenured faculty member a formal review for promotion more than one year.

(4) Only the candidate may stop any review for promotion and tenure once external letters of evaluation have been sought. The candidate may withdraw from review at any stage of the process by so informing the tenure initiating unit chair in writing. If the review process has moved beyond the tenure initiating unit, the tenure initiating unit chair shall inform the dean or the executive vice president and provost, as relevant, of the candidate's withdrawal. Withdrawal from the mandatory tenure review during the final probationary year means that tenure will not be granted.

(B) Review procedures at the tenure initiating unit level.

(1) Each tenure initiating unit shall establish a mechanism such as a promotion and tenure committee, for presenting the case of a candidate for promotion and tenure to the eligible faculty for consideration and for preparing a report for the tenure initiating unit chair providing the eligible faculty's assessment of quality and effectiveness of teaching, quality and significance of scholarship, and quality and effectiveness of service. With the exception noted below, eligible faculty are tenured faculty of higher rank than the candidate excluding the tenure initiating unit chair, the dean and assistant and associate deans of the college, the executive vice president and provost, and the president. For tenure reviews of probationary professors, eligible faculty are tenured professors excluding the tenure initiating unit chair, the dean and assistant and associate deans of the college, the executive vice president and provost, and the president.

(2) The candidate shall have primary responsibility for preparing, according to office of academic affairs guidelines, a dossier documenting his or her accomplishments.
(3) The tenure initiating unit chair or chair of the promotion and tenure committee shall be responsible for gathering internal evidence of the quality and effectiveness of teaching, quality and significance of scholarship, and quality and effectiveness of service from students and peers, as appropriate, within the tenure initiating unit. The tenure initiating unit chair or chair of the promotion and tenure committee shall also be responsible for obtaining letters from external evaluators and from other units at this university in which the candidate has appointment or substantial professional involvement, whether compensated or not. Some of the external evaluators should be suggested by the candidate and some by the department chair or promotion and tenure committee; no more than one-half of the letters contained in the final dossier should be from persons suggested by the candidate. All solicited letters that are received must be included in the dossier. Unsolicited letters of evaluation or letters of evaluation solicited by anyone other than the above authorized persons may not be included in the dossier.

(4) The eligible faculty shall review the candidate's dossier describing accomplishments in teaching, scholarship, and service and shall vote on the candidate. A report of the faculty assessment, including both strengths and weaknesses, and the numerical vote of the faculty shall be forwarded to the tenure initiating unit chair for inclusion in the dossier.

(5) The chair shall prepare a separate written assessment of the case and recommendation for the dean for inclusion in the dossier. As soon as the faculty report and chair's letter have been completed, the candidate should be notified in writing of the completion of the tenure initiating unit review and of the availability of these reports. The candidate may request a copy of these reports. The candidate may provide the tenure initiating unit chair with written comments on the tenure initiating unit review for inclusion in the dossier within ten calendar days of notification of the completion of the review. The promotion and tenure committee and/or chair may provide written responses to the candidate's comments for inclusion in the dossier. Only one iteration of comments on the departmental level review is permitted.

(6) The tenure initiating unit chair shall forward the dossier with all internal and external evaluations, candidate comments on the tenure initiating unit review and promotion and tenure committee and/or chair responses to those comments, if any, to the dean of the college.

(C) Review procedures at the college and university level.

(1) The purposes of promotion and tenure reviews beyond the tenure initiating unit shall be:

(a) To determine whether the tenure initiating unit has conducted its review and reached a recommendation consistent with university, college, and tenure initiating unit standards, criteria, policies, and rules. A faculty review body or administrator at the college or university level may make a recommendation that is contrary to that of the tenure initiating unit if, in its judgment, the tenure initiating unit recommendation is not consistent with those standards, criteria, policies, and rules.

(b) To determine where the weight of the evidence lies in cases in which there is not a clear or consistent recommendation from lower levels of review.

(2) The dean of a college shall have a standing faculty promotion and tenure committee which is advisory to the dean. Members shall not participate in the review of cases from their own departments. The college promotion and tenure committee shall prepare a written report of its assessment and vote for inclusion in the dossier. The dean shall prepare a separate written assessment of the case and recommendation for the provost for inclusion in the dossier. As soon as the college promotion and tenure committee report and dean's letter have been completed, the candidate should be notified in writing of the completion of the college level review and of the availability of these reports. The candidate may request a copy of these reports. The candidate may provide the dean with written comments on the college review for inclusion in the dossier within ten calendar days of notification of the
completion of the review. The college promotion and tenure committee and/or dean may provide written responses to the candidate's comments for inclusion in the dossier. Only one iteration of comments on the college level review is permitted. The dean shall forward the dossier, along with all evaluations and reports, to the provost.

(3) The executive vice president and provost shall have a standing faculty promotion and tenure committee which is advisory to the provost. Members shall not participate in the review of cases from their own departments. Normally, the provost shall refer cases to this committee for advice only when there is concern regarding the appropriateness of lower level recommendations, when there are unclear or inconsistent recommendations from previous levels of review, or when all previous recommendations are negative. The university promotion and tenure committee shall prepare a written report of its assessment and vote for inclusion in the dossier.

(D) Modification of review processes for alternative administrative structures.

(1) Regional campus faculty shall be reviewed by the faculty and dean and director on the appropriate campus using procedures established on each campus. This review shall focus primarily on the faculty member's contributions in teaching and service. The dean and director shall forward the report of the regional campus faculty and his or her recommendation to the chair of the faculty member's tenure initiating unit and inform the candidate of his or her recommendation. The review shall proceed as described in paragraphs (A) through (C) of this rule with the understanding that the relative weight of teaching and service is ordinarily greater on regional campuses.

(2) If the college is the unit responsible for initiating tenure and promotion recommendations, it should follow the annual review and promotion and tenure procedures described for tenure initiating units. The dean shall forward the annual review letter or promotion and tenure dossier to the executive vice president and provost.

(3) Schools follow the procedures established for tenure initiating unit reviews unless they contain departments that are tenure initiating units. In the latter case, the tenure initiating unit chair shall forward dossiers to the school director. The director shall forward the dossier, with his or her recommendation, to the dean of the college.


3335-6-05 Criteria and procedures for appeals of negative promotion and tenure decisions and reappointment nonrenewals and for seventh year reviews for tenure-track faculty.

(A) Appeals. It is the policy of the Ohio state university to make decisions regarding the renewal of probationary appointments and promotion and tenure in accordance with the standards, criteria, policies, and procedures stated in these rules, supplemented by additional written standards, criteria, policies, and procedures established by tenure initiating units and colleges. If a candidate believes that a nonrenewal decision or negative promotion and tenure decision has been made in violation of this policy and therefore alleges that it was made improperly, the candidate may appeal that decision. Procedures for appealing a decision based on an allegation of improper evaluation are described in rule 3335-5-05 of the Administrative Code.

(B) Seventh year reviews. Every effort should be made to consider new information about a candidate's performance before a final decision is made if the new information becomes available before a decision is rendered. In rare instances, a tenure initiating unit may petition the dean to conduct a seventh year review for an assistant professor who has been denied promotion and tenure. Both the eligible faculty of the unit and the chair must approve proceeding with a petition for a seventh year review. The petition must provide documentation
of substantial new information regarding the candidate's performance that is germane to the reasons for the original negative decision. Petitions for seventh year reviews must be initiated before the beginning of the last year of employment because the seventh year review, if approved, would take place during the regular university review cycle of the assistant professor's seventh and last year of employment.

If the dean concurs with the tenure initiating unit's petition, the dean shall in turn petition the provost for permission to conduct a seventh year review. If the provost approves the request, a new review will be conducted equivalent to the one that resulted in the nonrenewal of the appointment. The conduct of a seventh year review does not presume a positive outcome. In addition, should the new review result in a negative decision, the faculty member's last day of employment is that stated in the letter of nonrenewal issued following the original negative decision.

A tenure-track faculty member may not request a seventh year review, appeal the denial of a seventh year review petition initiated by his or her tenure initiating unit, or appeal a negative decision following a seventh year review, since the faculty member has already been notified that tenure has been denied at the conclusion of the sixth year review. (B/T 10/5/84, B/T 11/2/90, B/T 5/3/96, B/T 7/12/2002, B/T 6/4/2004, B/T 6/7/2005)

3335-6-06 Tenure initiating unit.

(A) A tenure initiating unit is a division, department, school, or college approved by the council on academic affairs, the university senate, and the board of trustees. A tenure initiating unit has the following responsibilities for all faculty members assigned to it: to assist in professional development; to evaluate; to maintain official personnel records; and to initiate promotion, tenure, reappointment, and nonrenewal recommendations. The office of academic affairs shall be responsible for maintaining the official list of tenure initiating units.

(B) A single division, department, school, or college must serve as the tenure initiating unit for each tenure-track faculty member, including individuals with multiple appointments. Multiple appointments to the tenure-track faculty totaling fifty per cent or more of service to the university shall be considered to be the same as a single appointment of fifty per cent or more for the purpose of determining eligibility for tenure.

(C) A faculty member may change from one tenure initiating unit to another voluntarily; or as a result of the restructuring of academic units, including consolidation, reorganization, or abolishment; or as a result of the abolishment of a tenure initiating unit during conditions of financial exigency. The following provisions govern such changes:

(1) A faculty member may voluntarily move from one tenure initiating unit to another upon approval of a simple majority of all tenured faculty members in the receiving tenure initiating unit and, following consultation with the appropriate dean(s), the executive vice president and provost. Administrative approval will be dependent on whether satisfactory fiscal arrangements for the change have been made.

(2) A faculty member’s tenure initiating unit may be changed as a result of structural changes in academic units, including consolidation or reorganization of units, or abolition of units, that are approved by the university senate and board of trustees.

(a) When academic units are to be consolidated or reorganized, resulting in the creation of one or more new tenure initiating units, the plan for relocating faculty to the new tenure initiating units shall be part of the approved restructuring proposal. Change in tenure initiating unit resulting from the consolidation or reorganization of academic units shall not require the consent of individual faculty members whose tenure initiating unit is changed. In addition, since a receiving unit does not exist when new units are being created, no vote of such a unit will be required in relocating faculty.
(b) When a tenure initiating unit is to be abolished and is not part of a plan to consolidate or reorganize two or more units into new tenure initiating units, every effort shall be made by the executive vice president and provost to transfer each tenure-track faculty member in that tenure initiating unit to another tenure initiating unit, in accordance with the provisions of paragraph (C) of this rule. Should such agreement be impossible, the person's tenure responsibility shall reside with the executive vice president and provost. The executive vice president and provost shall assign the faculty member appropriate duties. If the faculty member's previous assignment has been at a regional campus, the executive vice president and provost shall consult with the dean and director of the regional campus regarding an appropriate assignment.

(3) A tenure-track faculty member whose tenure initiating unit is abolished during conditions of financial exigency, as described in rule 3335-5-02.1 of the Administrative Code, may be reassigned to a new tenure initiating unit under the terms of paragraph (C)(1) of rule 3335-5-02.2 of the Administrative Code.

(D) When tenure-track faculty members change tenure initiating units under paragraphs (C)(2) and (C)(3) of this rule, the new tenure initiating units shall make reasonable efforts to assist faculty members in adjusting to the expectations of the new unit. Faculty members who believe that some other unit may be more appropriate than their new tenure initiating unit may also explore the possibility of further relocation under the terms of paragraph (C)(1) of this rule. (B/T 10/5/84, B/T 11/2/90, B/T 2/1/91, B/T 2/4/94, B/T 5/3/96, B/T 4/4/97, B/T 3/6/98, B/T 12/4/98, B/T 7/12/2002, B/T 6/4/2004, B/T 6/7/2005)

3335-6-07 Campus assignment.

(A) Every member of the faculty shall be assigned to serve on one of the university's campuses: the central campus in Columbus, the regional campuses in Lima, Mansfield, Marion, and Newark, or the agricultural technical institute (Wooster).

(B) Decisions regarding the selection, assignment, responsibilities, salary, assessment, and promotion of a regional campus faculty member should involve full cooperation between the tenure initiating unit and the regional campus administration. All formal personnel recommendations must bear the signatures of the chair of the tenure initiating unit, the dean of the college of the tenure initiating unit, the dean and director of the regional campus, and the executive vice president and provost or designee.

(C) Campus reassignment may occur only with the voluntary consent of the faculty member, and with the approval of the executive vice president and provost and that of a simple majority of all tenured faculty members in the transferee's tenure initiating unit when the reassignment is from a regional campus to the Columbus campus or all tenured faculty members on the receiving regional campus when the transfer is to a regional campus. Administrative approval will be dependent on whether satisfactory fiscal arrangements for the change have been made. (B/T 10/5/84, B/T 10/4/85, B/T 2/6/87, B/T 11/2/90, B/T 2/1/91, B/T 5/3/96, B/T 4/4/97, B/T 12/4/98, B/T 6/4/2004)

3335-6-08 Standards of notice.

(A) In cases of nonrenewal of an appointment to a regular tenure-track faculty rank, the university will, insofar as possible, observe the following standards of notice:

(1) Not later than March first of the first academic year of probationary service, if the appointment expires at the end of that year; or if a one-year appointment expires during an academic year, at least three months in advance of its expiration;

(2) Not later than December fifteenth of the second academic year of probationary service, if the appointment expires at the end of that year; or if an appointment expires during the second academic year, at least six months in advance of its expiration; and
(3) At least twelve months before the expiration of an appointment after two or more years in the institution.

(B) These standards of notice need not apply in cases of termination for cause.

(C) In the event of a decision resulting in nonrenewal, the chair shall notify the faculty member in writing of that decision and the reasons for it.

(D) Decisions regarding renewal of members of the auxiliary faculty (adjunct, clinical, visiting titles, or lecturers) are made annually in accordance with criteria and procedures of the appointing instructional unit and in accordance with university policies relative to auxiliary faculty positions. (B/T 10/5/84, B/T 7/10/87, B/T 5/3/96, B/T 6/4/2004, B/T 6/7/2005)

3335-6-09 Exceptions.

Any unit which believes that there is a reason for it to have policies and procedures differing from those set out in this chapter may request an exception. The request must be approved by the procedures established in the unit’s pattern of administration and by the dean of the college, after broad and meaningful consultation with the unit’s tenure-track faculty. The request will then be submitted to the executive vice president and provost and, if approved, to the university senate for approval. (B/T 10/5/84, B/T 5/4/89, B/T 7/6/90, B/T 11/2/90, B/T 3/6/92, B/T 4/8/94, B/T 5/3/96, B/T 4/4/97, B/T 12/4/98, B/T 7/12/2002, B/T 6/4/2004)
Chapter 3335-7

Rules of the university faculty concerning regular clinical track faculty appointment, reappointment and nonreappointment, and promotion

3335-7-01 Definition.

Regular clinical track faculty appointments are fixed term contract appointments that do not entail tenure. Regular clinical track faculty are teacher/practitioners and shall be engaged primarily in teaching activities related to: a) courses or instructional situations involving live patients or live clients, b) courses or instructional situations involving the simulation of live patients or live clients, or c) courses or instructional situations involving professional skills. (B/T 7/12/2002, B/T 6/4/2004)

3335-7-02 Titles.

The term "regular clinical track faculty" exists for the purpose of recording this type of appointment in the university's employment system database.

If individual colleges, schools, and departments with regular clinical track faculty wish to provide clinical faculty with faculty-rank titles, then whatever title is used must be distinct from tenure-track titles (see paragraph (A) of rule 3335-5-19 of the Administrative Code). Examples include, but are not limited to, professor of clinical (name of college, school, or department) and associate professor of professional practice. (B/T 7/12/2002, B/T 6/4/2004, B/T 6/1/2007)

3335-7-03 Appointment cap.

Unless an exception is approved by the university senate and the board of trustees, regular clinical track faculty may comprise no more than forty percent of the total regular tenure-track faculty (as defined in rule 3335-5-19 of the Administrative Code) in each of the departments, schools, and colleges of the health sciences and no more than twenty percent of the tenure-track faculty in other departments, schools, and colleges. (B/T 7/12/2002, B/T 6/4/2004, B/T 6/7/2005)

3335-7-04 Proposals and approval process.

(A) Proposals to establish or amend a regular clinical faculty track in a college or school reporting directly to Office of Academic Affairs (OAA) must be submitted to the provost by the dean of the college or director of the school reporting directly to OAA. Proposals must include a clear rationale for establishing a regular clinical faculty track and address how the terms and conditions of the appointments will be consistent with the rules set forth in Chapter 3335-7 of the Administrative Code, what titles will be given to regular clinical track faculty, and what department and college governance rights will be extended to regular clinical track faculty. Regular clinical track faculty may not participate in the promotion and tenure reviews of tenure-track faculty. In addition, proposals must include the following components:

(1) A definition of the role in teaching and scope of professional practice duties of clinical track faculty, identifying specifically how those differ from duties of tenure-track faculty;

(2) Identification of the requirements for a clinical track faculty appointment, including appropriate terminal degrees and any credential or licensure requirements; and

(3) A list of courses that could be taught by clinical track faculty and the relationship of those courses to the general curriculum. The expectation would be that clinical track faculty should teach primarily courses involving professional practice in the clinical setting or courses designed to teach professional skills.

Proposals must comply with any additional guidelines promulgated by the council on academic affairs and will be reviewed according to criteria specified by the council on academic affairs.
(B) With the exception of changes to existing titles, proposals from a college or school reporting directly to OAA to establish or amend a regular clinical faculty track must be approved by a majority of the tenure-track faculty of the college or school reporting directly to OAA proposing to have a regular clinical faculty track, by the dean of the college or school reporting directly to OAA, by the executive vice president and provost, by the university senate, and by the board of trustees. The executive vice president and provost will transmit all proposals to the council on academic affairs, which will review proposals and make a recommendation to the university senate. Title changes must be consistent with rule 3335-7-02 of the Administrative Code, but need only be approved by a majority of the regular tenure track faculty and dean of the college or director of the school reporting directly to OAA proposing the amendment. (B/T 7/12/2002, B/T 6/4/2004, B/T 6/7/2005, B/T 6/1/2007)

3335-7-05 Criteria for appointment, for reappointment and nonreappointment, and for promotion.

Regular clinical track faculty may be appointed by colleges that do not have schools or departments and by schools and departments in colleges that have such subunits. The criteria for appointment, for reappointment and nonreappointment, and for promotion for regular clinical track faculty shall be established by the college, school, or department making such appointments and shall be set forth in that unit's appointments, promotion, and tenure document. The criteria must be consistent with the rationale for having a regular clinical faculty track in the unit in question and must be distinct from the criteria for tenure-track faculty appointments. However, normally regular clinical track faculty will have an earned doctorate or other terminal degree in the relevant field or equivalent experience. The criteria for appointment, for reappointment and nonreappointment, and for promotion should reflect the importance of the responsibilities of regular clinical track faculty. (B/T 7/12/2002, B/T 6/4/2004, B/T 6/7/2005)

3335-7-06 Procedures for appointment.

Procedures for appointment of regular clinical track faculty shall be established by the college, school, or department making such appointments and shall be set forth in that unit's appointments, promotion, and tenure document. Appointments at the rank of associate professor or professor require prior approval of the office of academic affairs. (B/T 7/12/2002, B/T 6/4/2004)

3335-7-07 Term of appointment.

(A) Contracts must be for a period of at least three years and for no more than five years.

(B) The initial contract is probationary and a faculty member will be informed by the end of each probationary year as to whether he or she will be reappointed for the following year. By the end of the second to final year of the probationary contract, the faculty member will be informed as to whether a new contract will be extended at the conclusion of the probationary contract period. In the event that a new contract is not extended, the final year of the probationary contract is the terminal year of employment. There is no presumption that a new contract will be extended. In addition, the terms of a contract may be renegotiated at the time of reappointment.

(C) During and until the end of the second and subsequent contract periods, regular clinical track faculty appointments may only be terminated for cause (see rule 3335-5-04 of the Administrative Code) or financial exigency (see rule 3335-5-02.1 of the Administrative Code) and the termination decision for either of these reasons shall result from procedures established by faculty rules. In addition, a contract may be renegotiated during a contract period only with the voluntary consent of the faculty member. By the end of the penultimate year of each contract period, the faculty member will be informed as to whether a new contract will be extended at the conclusion of the current contract period. If a new contract is not extended, the final year of the current contract is a terminal year of employment. There is no presumption that a new contract will be extended. In addition, the terms of a contract may be renegotiated at the time of reappointment.
3335-7-08 Annual review, reappointment/nonreappointment, and promotion review procedures.

The procedures for reviewing regular clinical track faculty annually and for reappointment/nonreappointment and promotion shall be set forth in the relevant college, school or department appointments, promotion, and tenure document and shall be consistent with review procedures established for tenure-track faculty, including those set forth in rules 3335-6-03 and 3335-6-04 of the Administrative Code with the following exceptions:

(A) The college dean's decision shall be final with respect to reappointment and nonreappointment and with respect to denial of promotion; and


3335-7-09 Transfers from the tenure track to the regular clinical track.

A college, school, or department may provide for the possibility of transfers from the tenure faculty track to the regular clinical faculty track if appropriate to its circumstances. A unit that permits transfers must abide by the following:

(A) The request for transfer must be initiated by the faculty member in writing and must state clearly how the individual's career goals and activities have changed;

(B) When a tenured faculty member transfers to the regular clinical faculty track, tenure is lost; and

(C) All transfers must be approved by the school director or department chair, the college dean, and the executive vice president and provost. (B/T 7/12/2002, B/T 6/4/2004)

3335-7-10 Transfers from the regular clinical faculty track to the tenure-track.

Transfers from the regular clinical track faculty track to the tenure-track are not permitted. Regular clinical track faculty may apply for tenure-track positions and compete in regular national searches for such positions. (B/T 7/12/2002, B/T 6/4/2004, B/T 6/7/2005)

3335-7-11 Participation in governance by regular clinical track faculty.

(A) A college or academic unit that appoints regular clinical track faculty determines the level of participation in college and departmental structures.

(B) A college or academic unit that appoints regular clinical track faculty and elects senators may, by vote of at least a majority of all of its regular tenure track faculty, determine that the regular clinical track members of its faculty are eligible for election to the university senate.

(C) Following approval by a college or academic unit of eligibility of its regular clinical track faculty for election to the senate under the foregoing paragraph:

(1) For purposes of selection of university senators, the electorate for the college or academic unit shall be composed of all regular tenure track and regular clinical track faculty.

(2) Any regular clinical track faculty member appointed by the college or academic unit may stand for election to serve as a representative in the senate.

(3) The minimum and maximum numbers of clinical track faculty from each college or academic unit that may serve as representatives in the senate shall be determined by majority vote of regular tenure track and regular clinical track faculty appointed by that college or academic unit within the limits provided for in paragraph 4 of this section.
(4) One senator or not more than 45% of the senators representing that college or academic unit, whichever is greater, may be regular clinical track faculty of the college or academic unit. (B/T 4/4/2008)

Rules of the university faculty concerning research track faculty appointment and nonreappointment, and promotion

3335-7-30 Definition.

Regular research track faculty appointments are fixed term contract appointments that do not entail tenure. Research track faculty are researchers and shall be engaged in research related to the mission and goals of the academic unit. (B/T 6/4/2004)

3335-7-31 Titles.

The term “regular research track faculty” will exist solely for the purpose of recording this type of appointment in the university's employment system database. Titles will be research professor of (name of college, school or department), research associate professor, research assistant professor. (B/T 6/4/2004)

3335-7-32 Criteria for appointment, for reappointment and non-reappointment, and for promotion.

With tenure track faculty majority approval, regular research track faculty may be appointed by colleges that do not have schools or departments and by schools and departments in colleges that have such subunits. Unless otherwise authorized by a majority vote of the tenure-track faculty in a unit, regular research track faculty must comprise no more than twenty per cent of the number of tenure-track faculty in the unit. In all cases, however, the number of regular research track faculty positions in a unit must constitute a minority with respect to the number of tenure-track faculty in the unit.

The criteria for appointment, reappointment and nonreappointment, and for promotion for regular research track faculty shall be established by the college, school or department making such appointments and shall be set forth in that unit's appointments, promotion and tenure document and approved by a majority vote of the regular tenure-track faculty of the unit and approved by the office of academic affairs. The criteria must be distinct from the criteria for tenure-track faculty appointments and cannot require classroom teaching. Regular research track faculty will have an earned doctorate or other terminal degree in the relevant field. The criteria for appointment, for reappointment and nonreappointment, and for promotion should reflect the preponderance of responsibilities being in research activities. (B/T 6/4/2004)

3335-7-33 Procedures for appointment.

Procedures for appointment of regular research track faculty shall be established by the college, school or department making such appointments and set forth in that unit’s appointments, promotion, and tenure document and approved by a vote of the regular tenure-track faculty of the unit and the office of academic affairs. Appointments at the rank of research associate professor or research professor require prior approval of the relevant college and the office of academic affairs. (B/T 6/4/2004)

3335-7-34 Duties and responsibilities.

The primary duty of regular research track faculty is to conduct research. A research track faculty member may, but is not required to, participate in limited educational activities in the area of his or her expertise. However, teaching opportunities for each research track faculty member must be approved by a majority vote of the TIU’s regular tenure-track faculty. Under no circumstances
may a member of the research track faculty be continuously engaged over an extended period in the same instructional activities as tenure-track faculty. An appointment to a research track faculty position should not be made to displace or make unnecessary an appointment to a tenure-track faculty position. (B/T 6/4/2004, B/T 6/7/2005)

3335-7-35 Term of appointment.

(A) Contracts will be for a period of at least one year and for no more than five years.

(B) Contracts must explicitly state the expectations for salary support and generally will require one hundred per cent salary recovery. It is expected that salary recovery/support will be derived from extramural funds.

(C) The initial contract is probationary, and a faculty member will be informed by the end of each probationary year as to whether he or she will be reappointed for the following year. By the end of the penultimate year of the probationary contract, the faculty member will be informed as to whether a new contract will be extended at the conclusion of the probationary contract period. In the event that a new contract is not extended, the final year of the probationary contract is the terminal year of employment. There is no presumption that a new contract will be extended. In addition, the terms of a contract may be renegotiated at the time of reappointment.

(D) During and until the end of the second and subsequent contract periods, regular research track faculty appointments may be terminated for not meeting the terms of the contract (e.g. failure to obtain extramural support for the research). Appointments may also be terminated during a contract period for cause (see rule 3335-5-04 of the Administrative Code), or financial exigency (see rule 3335-5-02.1 of the Administrative Code), and the termination decision for either of these reasons shall result from procedures established by faculty rules. In addition, a contract may be renegotiated during a contract period only with the voluntary consent of the regular research track faculty member. By the end of the penultimate year of each contract period, the regular research track faculty member will be informed as to whether a new contract will be extended at the conclusion of the current contract period. If a new contract is not extended, the final year of the current contract is a terminal year of employment. There is no presumption that a new contract will be extended. In addition, the terms of a contract may be renegotiated at the time of reappointment.


3335-7-36 Annual review, reappointment/nonreappointment, and promotion review procedures.

The procedures for reviewing regular research track faculty annually and for reappointment/nonreappointment and promotion shall be set forth in the relevant, tenure-track faculty approved, college, school or department appointments, promotion and tenure document and shall be consistent with review procedures established for tenure-track faculty including those set forth in rules 3335-6-03 and 3335-6-04 of the Administrative Code except that the college dean’s decision shall be final with respect to reappointment and non-reappointment and with respect to denial of promotion. (B/T 6/4/2004)

3335-7-37 Governance rights.

Governance rights within a tenure-initiating unit (TIU) at the local level will be determined by the TIU and will require a vote of its eligible faculty. Research track faculty will be eligible to serve on university committees and task forces but not on university governance committees.

Research track faculty will also be eligible to advise and supervise graduate and postdoctoral students and to be a principal investigator on extramural research grant applications. Approval to advise and supervise graduate students must be obtained from the graduate school as set forth in rule 3335-5-29 and detailed in the graduate school handbook.
Research track faculty will not be eligible to vote on the promotion and tenure of tenure-track faculty or regular clinical track faculty. (B/T 6/4/2004)

3335-7-38 Transfers from the tenure track to the regular research track.

A college, school or department may provide for the possibility of transfer from the tenure faculty track to the research track if appropriate to its circumstances and if provided for in the unit’s appointments, promotion and tenure document. A unit that permits transfers must abide by the following:

(A) The request for transfer must be initiated by the tenure-track faculty member in writing and must state clearly how the individual’s career goals and activities have changed.

(B) When a tenured faculty member transfers to the regular research track, tenure is relinquished.

(C) The school director or department chairperson, the college dean, and the executive vice president and provost must approve all transfers. (B/T 6/4/2004)

3335-7-39 Transfers from the regular research track to the tenure track.

Transfers from the regular research track to the tenure track are not permitted. However, regular research track faculty may apply for tenure-track positions and compete in regular national searches for such positions. (B/T 6/4/2004)

3335-7-40 Oversight.

The office of academic affairs will submit an annual report to the university senate detailing the number, funding source, and TIU of regular research track appointments that have been made the previous year. Also included in the report will be the conditions of the appointments including fiscal arrangements. In unusual circumstances, salaries of research track faculty may be paid on a temporary basis from funds other than those generated from tuition and subsidy. (B/T 6/4/2004, B/T 6/7/2005)
Chapter 3335-8
RULES OF THE UNIVERSITY FACULTY
INSTRUCTION

Courses and Curricula

3335-8-01 Courses and curricula; definition.
(A) A course is the unit of instruction or research through which the educational program of the university is offered to its students.
(B) A curriculum is a program of courses leading to a certificate, a degree, or to entry into a professional college, school or a professional division of a college or a school.

3335-8-02 Courses and curricula; establishment, alteration or abolition.
(A) All proposals for the establishment, alteration and abolition of courses and curricula must be submitted to the council on academic affairs. Such proposals shall follow the procedure outlined in rule 3335-5-48.1 of the Administrative Code and shall be subject to review by the president and the board of trustees.
(B) If any change in courses or curricula requires an addition to the teaching staff, it shall not be authorized until approved in writing by the executive vice president and provost. (B/T 4/4/97, B/T 12/4/98)

3335-8-03 Procedure.
Proposals for establishing new courses or curricula for alterations in existing courses or curricula shall originate in the departments or schools and, in the case of departments, shall be subject to acceptance, revision, or rejection by the college or school of which those departments are a part. Proposals of departments, if approved by the college, and those of schools shall be submitted to the council on academic affairs. The council on academic affairs shall refer all courses involving graduate credit to the curriculum committee of the graduate school, which shall subsequently notify the council on academic affairs of the action taken in respect to acceptance of such proposed courses for credit toward graduate degrees. The council on academic affairs shall then take final action on the proposals in accordance with rule 3335-8-02 of the Administrative Code, keeping in mind the entire program of the department, the school, the college, and the university.

3335-8-04 Adoption of approved courses.
In determining credit for the degrees for which they are individually responsible, the several colleges, schools, and the graduate school shall have full authority to accept or to reject courses approved pursuant to rule 3335-8-03 of the Administrative Code. In the event that a college, school, or the graduate school determines to accept a course so approved, that course shall carry those conditions and credits which have been prescribed by the council on academic affairs.

3335-8-05 University classification and course numbering system.
(A) Courses numbered 000-099 are non-credit courses (except certain seminars and colloquia) for orientation, remedial, or other noncollege-level experiences. These are courses with credit added to graduation requirements.
(B) Courses numbered 100-199 are basic courses providing undergraduate credit, but not to be counted on a major or field of specialization in any department. Courses at this level are beginning courses, required or elective courses that may be prerequisite to other courses.
(C) Courses numbered 200-299 are basic courses providing undergraduate credit and may be counted on a major or field of specialization.
(D) Courses numbered 300-499 are intermediate courses providing undergraduate or basic professional credit that may be counted on a major or field of specialization.

(E) Courses numbered 500-599 are intermediate courses providing undergraduate or professional credit that may be counted on a major or field of specialization and may provide graduate credit only in other departments.

(F) Courses numbered 600-699 are courses providing undergraduate or professional credit that may be counted on a major or field of specialization, and may provide graduate credit (in all departments).

(G) Courses numbered 700-799 are advanced courses providing undergraduate, graduate, or professional credit.

(H) Courses numbered 800-999 are courses providing graduate credit and are open to undergraduates only with the consent of the dean of the graduate school.

(I) Courses for which graduate credit is anticipated must be taught by a member of the faculty approved by the graduate committee of the department offering the course. Eight hundred and 900 level courses must be taught by members of the graduate faculty.

University Required Courses

3335-8-06 Curricular requirements.
Every undergraduate curriculum must provide for a minimum of fifteen hours of free electives. (B/T 1/10/75, B/T 3/2/79)

3335-8-07 General education.
All undergraduate students must complete a program of general education coursework enabling them to acquire and develop a breadth of knowledge, skills, and perspectives that cross disciplinary boundaries and extend to areas outside of majors, minors and other specialized study programs. The specific structure and requirements for general education shall be defined by the faculty in accordance with faculty rule 3335-5-27 of the Administrative Code. (B/T 1/10/75, 6/18/2010)

3335-8-10 Academic publications.
All official bulletins of the university shall be published from the copy furnished by the council on academic affairs; but mere editorial changes, as defined by the council on academic affairs, may be made in such copy by the appropriate designated individual in the office of academic affairs after receiving the approval of the department or school concerned.

Class Scheduling

3335-8-11 Precedence of scheduled hours.
Regularly scheduled class appointments shall have precedence over any special examinations or exercises not provided for on the calendar or by faculty action.

3335-8-12 Interval between classes.
The interval between the close of one class period and the beginning of the next shall be twelve minutes.

3335-8-13 Class rosters.
Instructors shall make their class rosters solely from the rosters issued by the office of the university registrar, except that each department or school is authorized to change the hour assignment of a student for courses offered in more than one section. The department or school shall notify the office of the university registrar of all such changes.

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3335-8-14 Approval of student schedules.

The deans or secretaries of the several colleges and schools, or designees, shall approve the schedules of classes of students in their colleges and schools but the assignment to hours and all changes in such assignment shall be made by the office of the university registrar.

3335-8-15 Changes of schedules.

(A) No instructor shall change the hour or place of meeting of any class to which a student has been assigned except with the approval of the office of the university registrar.

(B) Instructors who deviate from regular university schedules by holding special sessions or examinations must have received approval from their department chair, regional campus dean and director or college dean to hold such special sessions or examinations. Such instructors shall accommodate students who may have conflicts because of required attendance in regularly scheduled classes. This rule does not apply to policies for the scheduling of final examinations which are provided in rule 3335-8-20 of the Administrative Code. (B/T 6/3/88, B/T 5/3/96)

3335-8-16 Cancellation of elective courses.

As promptly as possible and appropriate, the office of the university registrar shall report to the dean of the college or director of the school having charge of the department or program concerned all elementary elective courses (those numbered below 300) in which fewer than twelve students are enrolled and all elective advanced undergraduate courses (those numbered 300 and above) in which fewer than eight students are enrolled. The dean or director shall cancel every such course unless the department or program can show adequate reason why it should be given. When such a course is cancelled, the dean or director shall notify the office of the university registrar, who shall insert in the official bulletin a notice of its cancellation. (B/T 6/7/2005)

3335-8-17 Regulations for the control of course offerings.

(A) The regulations applicable to classes in the 000, 100, and 200 groups are:

(1) A course offered only once during the three quarters of the regular academic year which has failed to secure an average enrollment of fifteen for the last two times it was given shall be withdrawn from the catalogue or limited to alternate years.

(2) A course offered during two quarters of the regular academic year which has failed during the preceding year to secure a total enrollment of forty shall be offered during one quarter only.

(3) A course offered during three quarters of the regular academic year which has failed during the preceding year to secure a total enrollment of seventy-five shall be withdrawn for one quarter, and, if the total enrollment is less than forty, it shall be withdrawn for two quarters.

(4) If an elective course during a current quarter fails to secure an enrollment of twelve, it shall be withdrawn for that quarter despite the fact that its record of enrollment during the preceding year permits its listing under paragraph (A)(1), (A)(2), or (A)(3) of this rule. (See rule 3335-8-16 of the Administrative Code.)

(B) The regulations applicable to classes in the 300, 400, 500, 600, and 700 groups are:

(1) A course offered only once during the three quarters of the regular academic year which has failed to secure an average enrollment of ten for the last two times it was given shall be withdrawn from the catalogue or limited to alternate years.

(2) A course offered during two quarters of the regular academic year which has failed during the preceding year to secure a total enrollment of twenty-five shall be offered during one quarter only.
(3) A course offered during three quarters of the regular academic year which has failed during the preceding year to secure a total enrollment of forty-five shall be withdrawn for one quarter, and if the total enrollment is less than twenty-five, it shall be withdrawn for two quarters.

(4) If an elective course during a current quarter fails to secure an enrollment of eight, it shall be withdrawn for that quarter despite the fact that its record of enrollment permits its listing under paragraph (A)(1), (A)(2), or (A)(3) of this rule. (See rule 3335-8-16 of the Administrative Code.)

(C) A course withdrawn or suspended under these rules may be restored by following the procedure for introduction of new courses.

(D) This rule does not apply to minor and major research problem courses, to honors courses, or to courses in which special types of instruction or equipment, or limited laboratory facilities, require that, without reference to expense, classes be smaller than those provided for by this rule. All exceptions of these types must be authorized by the council on academic affairs each year.

(E) Courses for which there is inherently a limited demand, but which are essential to the university's program, may be exempted from these regulations, in whole or in part, by the council on academic affairs. Each such course shall be considered annually upon its individual merits.

(F) The graduate professional colleges may formulate rules to govern the control of their course offerings, subject to the approval of the council on academic affairs.

3335-8-18 Standards for number of class sections.

The standards to be applied to the formation of class sections in a course are:

(A) When the registration in a course for a particular quarter is less than twenty-five students, it shall be taught in one section only.

(B) When the registration in a course for a particular quarter is less than fifty and more than twenty-five students, it shall be taught in not more than two sections.

(C) When the registration in a course for a particular quarter exceeds fifty students, the sections into which it is divided must be so formed that no section has less than twenty students.

(D) Where specialized methods of instruction are employed or where there are peculiar difficulties in student schedules, the application of these rules may be modified by the chair of the department and the dean of the college or the director of the school upon approval of the executive vice president and provost.

(E) The graduate professional colleges may formulate rules to govern the formation of class sections, subject to the approval of the council on academic affairs. (B/T 4/4/97, B/T 12/4/98)

Examinations and Marks

3335-8-19 Course examinations.

At the close of each course as defined in rule 3335-8-01 of the Administrative Code, an examination will be given on the student's capabilities relative to the stated course objectives, the method of examining to be determined by the instructor or supervisor of the course. Examinations in laboratory and seminar courses shall be optional with the instructor concerned.

3335-8-20 Schedules for final examinations.

(A) Examinations for classes taught on the regional campuses and for classes whose enrollment is exclusively of students registered in the colleges of dentistry, law, medicine, optometry,
pharmacy, and veterinary medicine will be scheduled by the offices of the regional campuses and of the colleges respectively. All examination schedules prepared outside the office of the university registrar shall, before publication, be cleared with the office of the university registrar which shall have the power to resolve all conflicts.

(B) All other final examinations shall be centrally scheduled by the office of the university registrar. The official examination schedules shall be strictly adhered to by all instructors. Any deviation must first be approved by the appropriate university official (department chair, regional campus dean and director, or college dean) in consultation with the office of the university registrar, which shall have the power to resolve all conflicts. Final grades for graduating students must be submitted electronically to the office of the university registrar by the deadlines established by that office.

(C) In performing its scheduling function the office of the university registrar shall limit individual examinations to two-hour duration and the total examination period to no more than five days.

(B/T 8/1/97, B/T 12/5/2003, B/T 12/2/2005)

3335-8-21 Marks.


(A) "A," "A-"

The instructor judged the student to have satisfied the stated objectives of the course in an excellent manner. The student's performance was judged to be in this range of high quality based upon a comparison with other students in the course, and/or with students who have taken the course previously, and/or the instructor's personal expectations relative to the stated objectives of the course, based on the instructor's experience and expertise.

(B) "B+," "B," "B-"

The instructor judged the student to have satisfied the stated objectives of the course in an above-average manner. The student's performance was judged to be in this range of above-average quality based upon a comparison with other students in the course, and/or with students who have taken the course previously, and/or the instructor's personal expectations relative to the stated objectives of the course, based on the instructor's experience and expertise.

(C) "C+," "C," "C-"

The instructor judged the student to have satisfied the stated objectives of the course in an average manner. The student's performance was judged to be in this range of average quality based upon a comparison with other students in the course, and/or students who have taken the course previously, and/or the instructor's personal expectations relative to the stated objectives of the course, based on the instructor's experience and expertise.

(D) "D+," "D"

The instructor judged the student to have satisfied the stated objectives of the course in a low but acceptable manner. The student's performance was judged to be in this range of below average but acceptable quality based upon a comparison with other students in the course, and/or with students who have taken the course previously, and/or the instructor's personal expectations relative to the stated objectives of the course, based on the instructor's experience and expertise.
(E) "E"

The instructor judged the student not to have satisfied the stated objectives of the course. Credit for a course in which the mark "E" has been received can be obtained only by repeating and passing the course in class (see rules 3335-8-23 to 3335-8-28 of the Administrative Code).

(F) "EM" - examination

(1) This mark indicates credit given to students registered in the university on the basis of examinations taken prior to or after admission to the university. The level of achievement which must be demonstrated by the student on these examinations in order to receive "EM" credit shall be determined by the department or school in which the course is offered for credit, in accord with the criteria for the award of letter grades. This credit, up to a maximum of forty-five credit hours, shall be assigned only upon the authorization of the chair of the department or the director of the school and with the approval of the authorized representative of the dean or director of the student's enrollment unit. Additional examination credit hours may be assigned specific curricular programs with the prior approval of the council on academic affairs.

(2) Examination credit shall not be given to a student for a course in which the student has received a mark at this university or for which the student has transfer credit from some other college or university. Conversely, no course for which "EM" credit has been received can be taken later for a grade or credit. No credit points are allowed for courses in which a mark of "EM" is given.

(G) "I" - incomplete

(1) An "I" indicates that the student has completed a major portion of the work in the course in a satisfactory manner, but for reasons judged by the instructor to be legitimate, a portion of the course requirements remains to be completed.

(2) The mark "I" shall be reported to the office of the university registrar together with the mark which the university registrar is authorized to enter on the student's official record unless a different mark is reported to the office of the university registrar in the manner and within the time described below.

(3) The student must complete the work so that the instructor of the course may report the final mark at the earliest possible time, but not later than noon of the sixth Saturday of the quarter, semester, or session, following that in which the "I" was received. For legitimate reason the instructor may establish a deadline for the completion of the work which is within the maximum time permitted. Upon petition of the student within this period, the instructor or, if the instructor is unavailable, the chair of the department involved, may for good reason allow a student additional time in which to complete the work. An extension beyond the date grades are due for the quarter, semester, or session following that in which the "I" was received requires concurrence of the instructional unit's dean, director, or college secretary. Any decision extending the period shall set forth the time in which the student shall complete the work and a copy of the decision shall be forwarded to the office of the university registrar.

(4) As soon as the incomplete work has been made up, the instructor, or in the case of the instructor's absence from the university, the department chair or the director of the school, shall file the proper mark in the office of the university registrar. Until such time as a final mark is recorded the credit for the mark "I" shall be counted as hours only, and shall not be considered in determining a student's point-hour ratio under rule 3335-8-26 of the Administrative Code.

(5) In no case shall a student who has received the mark "I" be permitted to repeat the course in which such mark was received until such time as the "I" has been removed and then only in such cases as fall within rule 3335-8-28 of the Administrative Code.
(H) "K" - credit

This mark shall be used for work credited from other institutions by the director of undergraduate admissions only. "K" credit shall be counted as hours only and shall not be considered in determining a student's point-hour ratio under rule 3335-8-26 of the Administrative Code.

(I) "EN" – E, non-attendance

This mark shall be used to indicate that the student was properly registered for the course, but failed to complete the course because of non-attendance. It does not differentiate between the student who never attended or stopped attending at some point during the academic term.

When assigning this mark, an instructor must also provide some indication (e.g. day or week of the academic term) of when the student stopped attending the course.

This mark shall be treated as an “E” for the purpose of calculating a student's point-hour ratio.

(J) "P" - progress

This mark is used to indicate that the student has shown satisfactory progress in a series or sequence of courses where the mark is not recorded until the final quarter, semester, or session of the series or sequence is completed. Until such time as a final mark is recorded, the mark of "P" shall be given and the credit shall be counted as hours only, and shall not be considered in determining a student's point-hour ratio under rule 3335-8-26 of the Administrative Code. When a final mark is submitted by the instructor, all previous "P" marks shall assume and be recorded with the value of this final mark.

(K) "PA" - pass, "NP" - non-pass

(1) The grade pass "PA" means the student has satisfied the stated objectives of the course, and the grade non-pass "NP" is the equivalent of the grade "E."

(2) These marks may be used at the option of undergraduate or continuing education students only, subject to the following conditions:

(a) This grading pattern may be chosen for a maximum of thirty credit hours, provided the student has an accumulated point-hour ratio of 2.0 or higher.

(b) Among these thirty credit hours, an undergraduate student may elect this option for courses in fulfillment of the curricular requirements of rule 3335-8-06 of the Administrative Code.

(c) An undergraduate student may elect this option for courses that are not required or designated as required electives in the curriculum leading to the degree for which the student is a candidate.

(d) Hours graded pass "PA" count toward the minimal number of hours required for a degree. Pass or non-pass marks ("PA," "NP") are not computed in the point-hour average of the student.

(e) Before five p.m. of the third Friday of a quarter or the second Friday of a term, a student must have declared intention to take a course on this basis by filing the appropriate form with the dean or director of the student's enrollment unit. A student may not change to or from this option after five p.m. of the third Friday of a quarter or the second Friday of a term.
"R" - registered to audit

1. This mark indicates that the student has registered to audit the course and has met the conditions established for audit enrollment in the course. No credit hours shall be awarded for this mark (see rules 3335-8-29 and 3335-8-33 of the Administrative Code).

2. Before five p.m. of the third Friday of a quarter, semester, or session, or the second Friday of a term, a student must have declared intention to take a course for audit or to change from a credit to an audit basis by filing the appropriate form with the dean or director of the student's enrollment unit. A student may not change to or from the audit option after five p.m. of the third Friday of a quarter, semester, or session, or the second Friday of a term.

"S" - satisfactory, "U" - unsatisfactory

1. The mark "S" may be used to record either satisfactory progress in or completion of work, provided that the course has been approved for this mark by the dean of the college offering the course, and in the case of courses carrying graduate credit, by the dean of the graduate school. It shall be used as an alternative to "U" or "I" in all individual studies courses whatever their number. "S" credit shall be counted as hours only, and shall not be considered in determining a student's point-hour ratio under rule 3335-8-26 of the Administrative Code.

2. The mark "U" shall be used for unsatisfactory work in courses in which a student would be entitled to the mark of "S" if the student's work had been satisfactory. No credit shall be given for work marked "U." This mark shall not be considered in determining a student's point-hour ratio under rule 3335-8-26 of the Administrative Code.

"W" - withdrew

1. This mark is used for students withdrawing from one or more courses or from the university.


3335-8-22 Report of marks.

Upon completion of the course requirements, marks for every student shall be reported to the office of the university registrar in accord with deadlines listed in the quarterly master schedule of classes.

3335-8-23 Alteration of marks.

A mark filed in the office of the university registrar is a part of the official records of the university. It is subject to change only when a procedural error has been discovered in evaluation or recording of a grade. Action to change a grade must be initiated before the end of the second succeeding quarter. In no case will a grade be revised in accordance with criteria other than those applied to all students in the class. If the instructor agrees that an error in the mark was made, the mark will be changed upon written authorization of:

1. The instructor of the course, and

2. The instructional unit's dean, director, or college secretary.

If a student believes that a procedural error in grading was made, the student should meet with the instructor. If the instructor does not agree that a procedural error was made, the student may meet with the department chair to discuss the grade grievance. The chair shall respond to the student no later than thirty days after the student has requested a review by the chair. Upon receipt of the chair's response, if the issue is not resolved to the satisfaction of the student, the student may within two weeks request in writing by duplicate submission to the dean or director
of the instruction unit and the department chair the procedures in paragraph (B) of this rule. Unresolved cases of grade grievance due to grading procedures are subject to paragraph (B) of this rule; unresolved cases of grade grievance due to other causes are not subject to paragraph (B) of this rule.

(B) Unresolved cases of grade grievance due to grading procedures shall be reviewed by a faculty departmental committee appointed by the department chair.

(1) In cases of instructors still affiliated with the university, the review committee shall consult both the student and the instructor and shall determine the validity of the grade grievance due to grading procedures. The review committee shall make its findings known in writing to both the student and the instructor within thirty days of the student's request to the chair.

If the committee finds that a procedural error has occurred and if the instructor declines to accept the findings of the review committee, the committee shall consider the reasons for not authorizing a grade change given by the instructor and may, upon consideration of these reasons, authorize in writing a grade change to be instituted by the department chair.

(2) In cases of instructors no longer affiliated with the university, the findings of the committee shall be reported to both the student and the instructor. If the instructor chooses not to respond, the judgment of the committee shall prevail. If the instructor responds and declines to accept the findings of the committee that a procedural error has occurred, the committee shall consider the reasons for not authorizing a change given by the instructor. In either case, the committee may, upon due consideration, authorize in writing a grade change (if such can be determined) to be instituted by the department chair.

If a department committee can find no academic basis upon which to recommend an appropriate grade for the course, the student shall be given the option of having the course stricken from the student's record and, if so desired, to retake that course without prejudice or penalty.

(C) If charges of grave academic misconduct against an instructor are made and substantiated under rule 3335-5-04 of the Administrative Code, the department chair shall be authorized to appoint a department grade grievance committee to consider grading errors that are alleged to be related to the misconduct. The committee shall consider all evidence and present, in writing, a report to the chair indicating any recommended grade changes. The department chair shall be authorized to institute grade changes in accordance with the recommendations of the committee.

If a department committee can find no academic basis upon which to recommend an appropriate grade for the course, the student shall be given the option of having the course stricken from the student's record and, if so desired, to retake that course without prejudice or penalty.

(D) The graduate school and graduate professional colleges may formulate appropriate modifications of this rule, subject to the approval of the council on academic affairs, and publish this rule in their bulletins.

3335-8-23.1 Retention or disposal of materials submitted to meet course requirements.

(A) Materials submitted by a student to satisfy course requirements shall either be returned to the student or made available for the student's inspection, after they have been marked or otherwise evaluated, before the end of the quarter, semester, session, or term in which the work is performed or, in the case of final projects and final examinations, no later than the fourteenth day of instruction of the following quarter, semester, session, or term.

(B) Materials of this kind which have not been returned to the student shall be retained by the academic unit or the individual instructor until the last day on which a grade change may be initiated as provided for in paragraph (A) of rule 3335-8-23 of the Administrative Code. An
exception to this rule may be made in the case of materials that are impracticable to store if the need for such exception is clearly communicated in writing and distributed to the students at the beginning of the course. (B/T 6/5/87)

**Course Credit**

3335-8-24 Credit hours.

(A) All courses shall be assigned a number of credit hours in accordance with the procedure outlined in rules 3335-8-02 to 3335-8-04 of the Administrative Code. This may be any number from zero on up; however, in determining the credit hours assigned, the department, school, college and council on academic affairs should use as a guide the following suggested standards:

1. One credit hour shall be assigned for each three hours per week of the average student's time, including class hours, required to earn the average grade of "C" in this course.
2. One credit hour shall be assigned for each two consecutive hours of practical or experimental work per week in any department or school.
3. One credit hour shall be assigned for each three hours of laboratory work per week, when no additional outside work is required. When outside work is required, then the standard in paragraph (A)(1) of this rule shall be applied.

(B) In determining the hours per week required by the course or work, the council on academic affairs may, in appropriate cases, consider the average weekly hours spent during a quarter, semester, or session on the course or work. It should be remembered that the above are guides only and may be deviated from for good cause.

(C) When comparing or combining semester credit hours with quarter credit hours, one semester credit hour shall be the equivalent of one and one-half quarter credit hours.

3335-8-25 Credit points.

(A) Credit points shall be assigned on the following basis:

- For each credit hour of "A," 4.0 credit points shall be allowed
- For each credit hour of "A-," 3.7 credit points shall be allowed
- For each credit hour of "B+," 3.3 credit points shall be allowed
- For each credit hour of "B," 3.0 credit points shall be allowed
- For each credit hour of "B-," 2.7 credit points shall be allowed
- For each credit hour of "C+," 2.3 credit points shall be allowed
- For each credit hour of "C," 2.0 credit points shall be allowed
- For each credit hour of "C-," 1.7 credit points shall be allowed
- For each credit hour of "D+," 1.3 credit points shall be allowed
- For each credit hour of "D," 1.0 credit points shall be allowed
- For each credit hour of "E," 0.0 credit points shall be allowed
- For each credit hour of "EN," 0.0 credit points shall be allowed

(B) All other marks (see rule 3335-8-21 of the Administrative Code) carry no credit points. (B/T 6/7/2002)

3335-8-26 Point-hour ratio.

(A) The point-hour ratio of a student shall be computed by dividing the sum of the applicable number of credit hours (as defined in paragraph (B) of this rule) in which the marks "A," "A-," "B+," "B," "B-," "C+," "C," "C-," "D+," "D," "E," or "EN" have been given into the sum of the credit points (see rule 3335-8-25 of the Administrative Code) assigned for such hours.
(B) When determining the point-hour ratio of a student:

(1) For a quarter, semester, or session, the "applicable number of credit hours" shall be the student's scheduled credit hours in that quarter, semester, or session.

(2) For the student's work in the university, the "applicable number of credit hours" shall be the total number of credit hours undertaken in the university except as modified by paragraph (A)(2) or (B) of rule 3335-8-27.1 of the Administrative Code.

(3) For the student's work in the graduate school, the "applicable number of credit hours" shall be the total number of graduate credit hours undertaken while enrolled in the graduate school. For the student's work in a professional college or school or professional division of a college, the "applicable number of credit hours" shall be the total number of credit hours undertaken while enrolled in the professional college or school or professional division of a college.

(4) For the student's work in the major field of interest, the "applicable number of credit hours" shall be the total number of credit hours undertaken in courses approved for the major program.

(C) No college of medicine point-hour average shall be computed for a student enrolled in the college of medicine in a curriculum leading to the degree, doctor of medicine, when that student has received only the marks of "H," "S," or "U" in the college of medicine. (B/T 8/1/97, B/T 6/7/2005, B/T 12/2/2005)

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

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

(B) If the petition is approved, the student resumes his or her academic program with no cumulative point-hour ratio, and thereafter is subject to the conditions of warning, probation, and dismissal that govern all students (see rules 3335-9-24 to 3335-9-28 of the Administrative Code).

(C) Under the provisions of this rule a student, before graduation, must be re-enrolled for a minimum of:

(1) Forty-five quarter credit hours and

(2) Three academic quarters.

(D) All courses ever taken at the university will be used in the calculation of the cumulative point-hour ratio required for the purposes of graduation with honors.

(E) The graduate school and graduate professional colleges may formulate appropriate modifications of this rule, subject to approval by the council on academic affairs, and shall publish the rule in their bulletins. (B/T 6/7/79, B/T 7/10/81, B/T 5/3/96)

3335-8-27 Failure in a required course.

(A) An undergraduate or professional student who has not been dismissed from the university must repeat in a regularly scheduled class, at the first opportunity, a required course in which a mark of "E" or "EN" has been received, unless an equivalent course is recommended and approved by the authorized representative of the dean or director of the student's enrollment unit.
A graduate student who has not been dismissed from the university must repeat in a regularly scheduled class a required course in which a mark of "E" or "EN" has been received only if this is required by the student's adviser. (B/T 6/7/2005)

3335-8-27.1 Freshman forgiveness rule.

(A) If a course in which an undergraduate student receives a grade of "D+," "D," "E," or "EN," taken during the freshman year (the period during which the first forty-four credit hours are accumulated on the student's official permanent record) is repeated before the end of that student's sophomore year (when the student will have accumulated a total of eighty-nine credit hours), the original course credit and grade will be automatically excluded from the calculation of the student's cumulative point-hour ratio and deficiency points, but will remain on the student's official permanent record. This action will be subject to the following conditions:

1. If the grade in the original course was a "D+" or "D," a student may repeat the course for credit only upon the recommendation of the authorized representative of the dean, or director of the student's enrollment unit. Such recommendation must be obtained before noon of the third Saturday of the quarter in which the repeated course is taken.

2. The same course may be repeated only once under this rule.

3. This rule may be applied for a maximum of fifteen credit hours.

(B) The graduate school and graduate professional colleges may formulate appropriate modifications of paragraph (A) of this rule, subject to the approval of the council on academic affairs, and publish the rule in their bulletins. (B/T 7/21/78, B/T 6/7/85, B/T 6/7/2005)

3335-8-28 Repetition of courses.

(A) Except as specified by rule 3335-8-27 of the Administrative Code, undergraduate students who have received a mark of "E," "EN," or "NP" in a course at this university may repeat the course for credit at their option.

(B) Undergraduate or professional students, as defined in rule 3335-9-01 of the Administrative Code, who have received a mark of "A," "A-," "B+," "B," "B-," "C+," "C," "C-," "D+," "D," "EM," "K," or "PA" in a course at this university may repeat the course for credit only upon the recommendation of the authorized representative of the dean or director of the student's enrollment unit.

(C) A graduate student, as defined in rule 3335-9-01 of the Administrative Code, may repeat for credit any course when approval is given by the student's adviser.

(D) A student who has audited a course may subsequently repeat the course for credit only upon receiving permission of the authorized representative of the dean or director of the student's enrollment unit.

(E) The credit hours for a repeated course shall in no case be counted more than once in meeting graduation requirements. When a student repeats a course, both grades appear on the student's record and both are used in computing the point-hour ratio, except as modified by rule 3335-8-27.1 of the Administrative Code. (B/T 4/7/2000, B/T 6/29/2001, B/T 6/7/2005)

3335-8-29 Admission to courses as an auditor.

An undergraduate or professional student may audit a course upon the approval of the professor in charge of the course and the dean of the college, or designee, in which the student is registered. (For repetition of courses, see rule 3335-8-28 of the Administrative Code.) A graduate student may audit a course upon the approval of the professor in charge of the course and the student's adviser.
Withdrawal from courses or from the university.

(A) Withdrawal from the university during a quarter, semester, or session, constitutes withdrawal from all courses in which a student is enrolled during that quarter, semester, or session. Upon official notification of the student's withdrawal from the university, the university registrar is authorized to enter the dated notation "withdrew" on the student's official permanent record.

(B) To withdraw from any or all courses, a student must file the appropriate form with the authorized representative of the dean or director of the student's enrollment unit.

(C) Until five p.m. of the third Friday of a quarter, semester, or session, or the second Friday of a summer term, a student may withdraw from any or all courses which began in the same quarter, semester, session, or term, and no record for the course(s) will be entered on the student's official permanent record.

(D) After five p.m. of the third Friday of a quarter, semester, or session and until five p.m. of the seventh Friday of a quarter, semester, or session, if a student withdraws from any or all courses which began in the same quarter, semester, or session, the university registrar is authorized to enter the mark "W" on the student's official permanent record for the courses withdrawn.

(E) After five p.m. of the seventh Friday of the quarter, semester, or session, or the second Friday of a summer term, a student who because of circumstances beyond his or her control finds it necessary to withdraw from any or all courses, must file the appropriate petition with the authorized representative of the dean or director of the enrollment unit. Reasons not acceptable include (but are not limited to) the student's performance in the course(s), lack of preparation for the course(s), or dissatisfaction with the subject matter offered in the course(s). If the petition is approved, a copy will be filed with the university registrar who is then authorized to enter the mark "W" on the student's official permanent record and the instructor(s) of the course(s) will be so notified. If the petition is not approved, the student continues to be enrolled in the course(s) and a final mark must be submitted by the instructor(s). Withdrawal from any and all courses shall not be permitted after the last day of regularly scheduled classes except when the student experiences a genuine emergency after the regularly scheduled classes end and prior to sitting for the final examination in a given course or courses.

(F) Withdrawal from any or all courses shall not be permitted after the final examination in that course has been given.

(G) A student who stops attending a course (or courses) and does not officially withdraw from it (them) shall have the appropriate mark as submitted by the instructor entered on the student's official permanent record for the course(s). Such a mark shall be based on the grading criteria used to evaluate all students in the course.

(H) Graduate professional colleges shall formulate rules to govern withdrawal of their students from courses in their respective curricula, subject to the approval of the council on academic affairs, and publish these rules in their respective bulletins.

(I) For provision regarding return of fees, when applicable, see rule 3335-9-18 of the Administrative Code.

Conditions and procedures for disenrollment from a course.

(A) The instructor (or in the case of a graduate teaching associate, the supervising faculty member), the chair of the instructor's department (with the agreement of the instructor), or other appropriate administrative official may disenroll a student from a course if:

(1) After the third instructional day of the quarter, semester, session, or term, the first Friday of the quarter, or the student's second scheduled class session of the course, whichever
occurs first, the student fails to attend the scheduled course without giving prior notification to the instructor. Under this paragraph, no student may be disenrolled from a course until after the first course meeting following the student's registration. When the department elects to use this procedure, the instructor, the chair, or other appropriate administrative official shall notify the student's enrollment unit. The enrollment unit will notify the student and take appropriate action to remove the student from the course.

Since not all departments exercise the option to disenroll students in all courses, this rule does not relieve the student of the responsibility for dropping a course the student is not attending.

(2) The student enrolls to audit a course without the instructor's approval, or fails to meet the prerequisites of the course. Disenrollment procedures shall be the same as in paragraph (A)(1) of this rule.

(3) Before the third Friday of a quarter, semester, or session, or the second Friday of a summer term, and following completion of a placement examination, or another appropriate measure of preparation or ability, the student is judged to be registered in an inappropriate course. The department or school offering the course may then instruct the secretary of the college or school in which the student is enrolled to change the student's registration either to a more elementary or more advanced course.

(B) Disenrollment, under paragraph (A) of this rule, is effective upon action of the instructor, department chair, or other appropriate administrative official.

(C) Credit for all rescheduled courses resulting from action under paragraph (A)(3) of this rule shall count toward the fulfillment of graduation requirements unless the student has previously earned university or college credit in a course having substantially the same subject matter content or the substituted course is one which the department or school, with the approval of the council on academic affairs, has established for students with inadequate preparation for college level courses of that department or school.

(D) If a student who has enrolled to audit a course fails to complete the requirements for audit specified by the instructor and also fails to withdraw from the course, the instructor shall so inform the office of the university registrar when marks are reported for the quarter, semester, or session. That office will then disenroll the student from the course, removing the course from the student's permanent record, and will notify the student and the student's college of the action taken.

(E) After investigation, including consultation with the instructor and the student in question, and utilizing other university resources, as desirable, the chair (or other appropriate administrative official) may disenroll a student from a course if the student presents a clear and present threat of bodily harm or injury to the instructor or fellow students, or, after warning, continues to engage in disruptive conduct, either of which results in impairment of teaching or learning processes:

(1) If, after attempting to resolve the difficulty by informal means, the department chair (or other appropriate administrative official) deems disenrollment necessary, the affected student shall be notified in writing. The notice shall be delivered by hand or sent through ordinary mail to the student at the last address supplied pursuant to rule 3335-9-09 of the Administrative Code. Copies of the disenrollment action shall be sent to the dean of the instructional college, the dean of the student's college, the office of the university registrar, and the office of student affairs.

(2) The student may appeal to the executive vice president and provost or designee for waiver of disenrollment under paragraph (E) of this rule, provided the appeal is filed within ten days of the disenrollment action. The executive vice president and provost shall make final determination on the appeal within seven days.
(3) Disenrollment is effective upon the action of the department chair (or other appropriate administrative official), unless reversed by the executive vice president and provost or designee.

(F) For disenrollment, exclusive of audit, under paragraphs (A) and (E) of this rule, the university registrar shall enter on the student's official permanent record:

(1) No mark, if the disenrollment occurs before five p.m. of the third Friday of a quarter, semester, or session course, or the second Friday of a summer term course; or

(2) The mark, "W," if the disenrollment occurs after five p.m. of the third Friday of a quarter, semester, or session course, or the second Friday of a summer term course. (B/T 7/9/76, B/T 7/22/77, B/T 4/1/83, B/T 2/3/84, B/T 7/6/84, B/T 4/5/85, B/T 6/5/87, B/T 11/2/90, B/T 7/12/91, B/T 5/3/96, B/T 4/4/97, B/T 12/4/98)

3335-8-34 Residence work.

(A) Except for cases meeting the conditions of paragraph (B) of this rule, residence credit will be given only for work taken in residence within the basic organization of the educational units of the university. (See rule 3335-1-05 of the Administrative Code.)

(B) By pre-arrangement with the head of the department or school concerned and with the approval in advance of the appropriate executive committee, an undergraduate student of good standing who has already secured satisfactory credits within a department or school may carry on work in absentia, and secure credit by examination for not to exceed a total of six hours. Credit so secured may be counted as a part of the work of the senior year.

University Year

3335-8-35 Quarters, semesters, sessions, and terms.

(A) The university year shall be divided into four quarters of approximately twelve weeks each. For any college on a semester basis, the university year shall be divided into a summer session of approximately twelve weeks and two semesters of approximately eighteen weeks each. The summer quarter or session shall begin the university year and may be divided into two terms of approximately six weeks each.

(B) The university calendar, including the dates of the beginning and ending of each quarter, semester, session, and term and of the several vacations and recesses within the year, shall be published in the appropriate university bulletins.

3335-8-36 Vacations.

All vacation dates shall be determined by the council of deans and published in the university bulletins as a part of the official calendar.

3335-8-37 Convocations.

A convocation for the conferring of degrees and certificates shall be held at the close of each quarter.
Chapter 3335-9
RULES OF THE UNIVERSITY FACULTY
ATTENDANCE AND GRADUATION

Admission

3335-9-01 Classification of students for admission.

Students shall be classified as:

(A) Undergraduate students: regular or special. This shall include students registered in the colleges of arts; biological sciences; business; food, agricultural, and environmental sciences; education and human ecology; humanities; mathematical and physical sciences; social and behavioral sciences; the division of pre-professional education of the college of education and human ecology; the pre-engineering division of the college of engineering; and the division of continuing education.

(B) Graduate students: regular, special, graduate nondegree, conditional, or transient. The provisional classification is used in conjunction with the regular, special, and conditional classifications.

(C) Professional students: regular or special. This shall include students either regularly or specially registered in the colleges or divisions of a college which admit after completion of a pre-professional curriculum.

(D) Transient students. This shall include regular enrollees of other institutions who with the recommendation of their college authorities enter this university for a brief residence (usually one quarter, semester, session, or term) without transfer of credits.

(E) Auditors. This shall include persons who desire to attend classes without receiving credit for any courses taken. (B/T 5/4/2001, B/T 7/7/2006)

3335-9-02 Time of admission.

(A) Admission as an undergraduate student. Undergraduate students who are residents of the state of Ohio and who meet all admission requirements shall be admitted to any one of the four quarters.

(B) Admission as a graduate student. Graduate students meeting all admission requirements may be admitted in any one of the four quarters.

(C) Admission as a professional student. Professional students meeting all admission requirements shall be admitted at such time or times as determined by the council on enrollment and student progress with due regard to the curriculum of the professional college involved.

(D) Admission as a transient student or auditor. Transient students and auditors meeting all admission requirements shall be admitted at such time or times as determined by the council on enrollment and student progress. (B/T 6/7/2005)

3335-9-03 Admission requirements.

Admission requirements, including admission to advanced standing, for entrance into the university shall be adopted by the board of trustees upon recommendation of the appropriate faculty and the approval of the university senate.
3335-9-04 Specific admission requirements.

(A) Undergraduate student. For admission as a regular undergraduate student, an applicant must be a graduate of a high school (or equivalent preparatory school), or must have passed equivalent entrance examinations. For unconditional admission the applicant must present a minimum of fifteen high school units distributed in accordance with a preparatory curriculum approved by the university faculty and must meet the special requirements of the college or school the applicant desires to enter, subject to such deficiencies (or conditions) as that college or school may permit (see also rule 3335-9-24 of the Administrative Code). The preparatory curriculum is not required for the unconditional admission of regular undergraduate students with high school graduation five or more years prior to the first quarter of enrollment.

For admission as a special undergraduate student, an applicant must satisfy the executive vice president and provost, or designee, that the applicant is qualified to undertake the special program desired.

(B) Graduate student. An applicant must meet the admission criteria established by the research and graduate council. All applicants must specify a field of specialization.

(C) Professional student. An applicant for admission as a regular or special student in a professional program must meet the pre-professional requirements of the school, college or division of a college the applicant desires to enter. If the applicant does not meet the pre-professional requirements, the applicant may be admitted subject to such deficiencies (or conditions) as that school, college or division of a college may permit.

(D) Transient student. To be considered for admission as a transient student, the applicant must present a brief, definite program endorsed by the president or dean of the student's university or college. Where this and all other pertinent matters are satisfactory to the director of admissions, the applicant may be admitted unless there is objection by the college, school or division of which the applicant seeks admission. (B/T 11/3/2000, B/T 6/7/2005)

3335-9-05 Admission of an undergraduate special student to regular standing.

An undergraduate special student who has completed two full years of college work and who desires to become a candidate for a degree may be transferred by the director of undergraduate admissions to the standing of a regular student by one of the following methods:

(A) By meeting the entrance requirements of the college or school in which he or she desires to attain regular standing.

(B) By assuming an addition of forty-five hours and ninety points to the requirements of his or her curriculum.

(C) By such other adjustments as may be approved by the undergraduate admissions office and the executive committee of the college concerned.

3335-9-06 Admission to advanced standing.

(A) An applicant presenting credentials for admission to advanced standing as an undergraduate student will in general be refused admission unless the applicant's record is at least "C" as an average of all courses undertaken.

(B) The director of undergraduate admissions may admit an applicant who does not fully meet this standard, provided the applicant's record is one that shows progressive improvement and provided the total credits allowed shall not be more than one-half the credit points counted on the applicant's complete record.

(C) An undergraduate applicant having fewer than forty-five transferable quarter credit hours at the time of first enrollment shall be subject to the provisions of paragraph (A) of rule 3335-9-04 of
3335-9-07 Academic aptitude and course placement test.

(A) Every undergraduate student, excepting transient students, attending the university for the first time, is required to take an academic aptitude test under the supervision of the university orientation and testing center. He or she shall also take such course placement tests as are required by the appropriate college, school, or department.

(B) The taking of this test by students entering the graduate school, the professional division of the college of engineering, or the colleges of dentistry, law, medicine, optometry, pharmacy, or veterinary medicine shall be optional with the graduate school or these colleges.

3335-9-08 Medical examination and enrollment denial for medical reasons.

(A) After admission, but prior to enrollment, each student seeking to enroll shall complete and submit to the university health service medical information in a form prescribed by the health service. Failure to comply with this requirement may result in denial of enrollment.

(B) Students with certain physical, psychological or emotional health conditions may be subject to a hold from enrollment. Such a hold may be imposed when there is clear and convincing evidence that:

(1) The student's current state of physical health poses a substantial danger to the health and well-being of other members of the university community; or

(2) The student is suffering from a mental disorder and as a result of that disorder engages, or threatens to engage in behavior which:

   (a) Poses a substantial danger or risk of causing harm to the student or to others; or

   (b) Poses a substantial danger or risk to university property, or to the property of another member of the university community.

(C) When the health of a student is alleged to be as defined in paragraph (B) of this rule, the director of the university health service, or designee, shall consult with the student about the student's health status. If the director decides it is necessary, the student may be required to submit to examination(s) deemed sufficient to evaluate such condition. The university health service will then review the case, including any medical evidence or opinion available, and determine appropriate university action. If the student fails to submit to an examination, or fails to furnish relevant health condition information, or if the review by the director discloses the existence of an immediate danger to the university community as set out in paragraph (B) of this rule, the student may be subject to a hold from enrollment; or conditions appropriate to protect the university community may be placed upon enrollment. In arriving at appropriate action, the director will take into account reasonable action on the part of the university to accommodate the student's condition.

(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 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 life will evaluate the evidence, or convene the case consultation committee (composed of representatives of counseling and consultation service, university
(1) The student is referred (by the student’s health service, the student’s academic unit, and other academic/administrative units as appropriate) for that purpose, and decide to:

(a) Approve enrollment without condition;

(b) Approve enrollment with specified conditions such as medical treatment; or

(c) Deny enrollment.

(2) The student must, in addition, meet all normal and appropriate standards for enrollment set by the academic unit in which the student seeks to enroll. (B/T 6/1/2001, 5/14/2010)

3335-9-09 Student addresses.

At the time of registration each student shall submit to the office of the university registrar the address of the person who should be notified in case of emergency and his or her local address. All subsequent changes to these addresses shall be promptly reported to the office of the university registrar as long as the student is currently enrolled at the university.

3335-9-10 Removal of entrance conditions.

Entrance conditions assessed against students at the time of admission or transfer to a college may be removed by the executive vice president and provost, when the dean of a college in which the conditioned student is registered has certified to the director of admissions that the deficiencies have been made up. The methods to be followed in making up entrance conditions shall have the joint approval of the director of admissions and the dean of the college concerned and, for undergraduate students, shall be in accordance with policies established by the council on academic affairs in consultation with the council on admission and registration. Removal of entrance conditions shall take precedence over the student’s regular college schedule. If credits earned in the university are to be substituted for such deficiencies, the student must earn a grade of “A,” “A-,” “B+,” “B,” “B-,” “C+,” “C,” “C-,” “D+” or “D” in courses approved to remove admission conditions. (B/T 4/4/97, B/T 7/10/98, B/T 12/4/98)

3335-9-11 Regular tenure-track faculty, regular clinical faculty, regular research faculty, and senior administrative and professional employees pursuing additional degrees.

Faculty members: No regular tenure-track faculty member, regular clinical faculty member, or regular research faculty member will be permitted to pursue a degree offered by the college in which the faculty member holds an appointment. In those instances where faculty members wish to pursue degrees in other colleges of this university, they must demonstrate that the acquisition of these degrees enhances their own competence as teachers and scholars. In making decisions to pursue additional degrees, university faculty must consider first and foremost the requirements of their total university commitment and responsibilities. Requests to pursue additional degrees must be approved by the chair of the department in which the faculty member holds appointment, dean of the college in which the faculty member holds appointment, dean of the school or college in which the degree would be granted (the dean of the graduate school in consultation with the executive committee of the council on research and graduate studies or dean of a professional college), and the executive vice president and provost.

Senior administrative and professional appointees: In those instances where senior administrative and professional appointees wish to pursue degrees at this university, they must demonstrate that the acquisition of these degrees enhances their competence as university employees. In making decisions to pursue additional degrees, senior administrative and professional appointees must consider first and foremost the requirements of their total university commitment and responsibility. Requests to pursue additional degrees must be approved by the immediate supervisor, the appropriate vice president in whose area the senior administrative and professional appointee holds
position, dean of the school or college in which the degree would be granted (the dean of the graduate school in consultation with the executive committee of the research and graduate council or dean of a professional college), and the executive vice president and provost. (B/T 6/14/48, B/T 11/1/85, B/T 11/2/90, B/T 5/3/96, B/T 4/4/97, B/T 12/4/98, B/T 6/7/2005)

Registration and Payment of Fees

3335-9-12  Enrollment conditional upon payment of fees.

All bills, fees, and deposits required from students for a quarter, semester, or session, must be paid at the office of fees and deposits no later than the fee payment deadline for that quarter, semester, or session set by the office of the university registrar and approved by the council on enrollment and student progress. (B/T 6/7/2005)

3335-9-13  Application and acceptance fees.

(A) Undergraduates. Undergraduate applications for first admission to the university must be accompanied by an application fee. This fee is non-refundable and is not credited against any other fees charged by the university.

(B) A non-refundable acceptance fee is assessed all students enrolling for the first time in one of the university's undergraduate degree-granting colleges or schools or university college. The acceptance fee is to be paid prior to orientation or release of registration materials.

(C) Professional. Professional applications for admission to the university must be accompanied by an application fee. This fee is non-refundable and is not credited against any other fees charged by the university.

(D) A non-refundable acceptance fee is assessed all students enrolling for the first time in one of the professional colleges of the university. Payment is to be made prior to release of registration materials.

(E) Graduate. A non-refundable acceptance fee is assessed all students, except graduate non-degree students, enrolling for the first time in the graduate school of the university. Payment is to be made prior to registration.

(F) Graduate applications by foreign students for first admission to the university must be accompanied by an application fee. This fee is non-refundable and is not credited against any other fees charged by the university.

3335-9-14  Time of registration and payment of fees; penalties.

(A) Payment of fees is required of all students each quarter, semester, or session, by the close of business on the date established by the executive vice president and provost in cooperation with the appropriate offices, and published by the office of the university registrar. This fee payment deadline will apply to the postmark date for fees paid by mail and to the date of receipt for fees paid in person. Failure to meet this requirement will result in a penalty assessment, unless excused by the university registrar or designee.

(B) Students whose fees are paid under contract with a third party will be held responsible for payment if the third party defaults or the contract is terminated.

(C) The university registrar, as the designee of the executive vice president and provost, reserves the right to refuse registration if fees are not paid by the date on which they are due. (B/T 4/4/97, B/T 12/4/98, B/T 12/6/2001, B/T 3/1/2002)

3335-9-15  Penalty for payment of fees when payment is not honored.

The registration of any student who pays fees by a payment that is not honored upon presentation is
subject to cancellation. If permitted to reregister and/or pay, the student will be assessed a penalty for reregistration and the regular penalty for late payment provided for in rule 3335-9-14 of the Administrative Code.

3335-9-16 Administrative holds.

(A) With the approval of the executive vice president and provost, an administrative hold may be placed on the records or accounts of any person who fails to comply in a reasonable period of time with an obligation imposed under university rules or who has an overdue debt or fine. An administrative hold will cause certain services to be withheld, including, but not limited to: obtaining current quarter grades, registering or enrolling, being certified as eligible to obtain a degree or certificate, receiving a transcript, borrowing books or equipment, or participating in discount plans available to faculty, staff, or alumni.

(B) The unit originating an administrative hold on the records or accounts of any person shall notify the person in writing of the obligation that is overdue by providing another itemized billing or list of actions requested, specifying when the administrative hold will become effective, and indicating the name and method of contacting an individual who can provide additional information.

(C) Any disputes concerning the legitimacy of a hold or its processing will be resolved by the university registrar. (B/T 4/4/97, B/T 12/4/98)

3335-9-17 Timely registration.

All students are required to submit course requests each quarter, semester, or session, following procedures promulgated by the office of the university registrar. Failure to comply with this rule will result in a penalty assessment. (B/T 6/7/2005)

3335-9-17.1 Additions to approved schedules.

(A) Until the official closing time on the first Friday of a quarter additions to approved schedules in undergraduate colleges require the approval of the student's enrollment unit.

(B) After the first Friday of a quarter and until the official closing time of the second Friday, additions to approved schedules require the permission of the instructor (or, with the instructor's concurrence, a representative as appointed by the department) and the approval of the student's enrollment unit.

(C) After the second Friday of a quarter, additions to approved schedules require the permission of the instructor (or, with the instructor's concurrence, a representative as appointed by the department), the permission of the chair of the instructor's department or the director of the school (or of the designated representative of the chair or the director), and the approval of the student's enrollment unit.

(D) After the third Friday of the quarter, additions to approved schedules will not be permitted. Exceptions will be granted only by petition. Petitions must be filed with the authorized representative of the dean or director of the enrollment unit. Petitions will be approved only on the basis of clearly documented clerical error or unusual and extenuating circumstances beyond the student's control.

(E) Because of the accelerated nature of summer-term courses, deadlines for adding these courses are as follows: from the first day of classes until the official closing time on the first Friday of each summer term a student may add a course only with the permission of the instructor (or, with the instructor's concurrence, a representative as appointed by the department) and the approval of the student's enrollment unit. After this date a student wishing to add a summer-term course to the approved schedule must have, in addition, the permission of the instructor's department chair or the director of the school (or of the designated representative of the chair or the director).
(F) For courses of shorter duration deadlines and approval procedures will be established by the instructional unit in which the course is offered after consultation with the office of the university registrar.

(G) The graduate school and graduate professional colleges shall formulate rules to govern additions to approved schedules, subject to approval of the council on academic affairs and publish them in their respective bulletins. (B/T 12/8/77, B/T 2/3/84, B/T 2/1/91, B/T 5/3/96)

3335-9-18 Return of fees.

(A) Fees (except for the application and acceptance fees) are returnable in part if a student withdraws from the university for any cause other than at the request of the university and if such withdrawal is made within the period established by the executive vice president and provost in cooperation with the appropriate offices, and published by the office of the university registrar. The application fee and the acceptance fee are not returnable irrespective of the reason for withdrawal.

Students dismissed from the university or withdrawing at the request of the university are not entitled to any refund of fees.

(B) In order to be eligible for the listed refund, the student’s record and account must be free of any administrative hold (see rule 3335-9-16 of the Administrative Code).

(C) If exceptional conditions prevent the presentation of the authorization to withdraw at the office of fees and deposits at the proper time, and if the student has not been able to attend classes during this time, the case should be referred for decision to the university registrar or designee.

(D) If fees are paid under mistake of law or fact, they are returnable in full.

(E) Fees are not returnable except as provided in this rule. (B/T 3/1/2002, B/T 6/7/2005)

3335-9-19 Instructional and general fees for instructors, graduate teaching associates, graduate research associates, graduate administrative associates, fellows, scholars, and university employees.

(A) "Fees authorized" are those fees which are paid on behalf of a student through university accounts for the purpose of services rendered, employee benefits or student assistance. A fee authorization provides the authority to spend money from whatever account is specified to pay student fees. All fees must be authorized following procedures promulgated by the office of fees and deposits. An approved fee authorization will be processed as an expenditure against the department and account specified.

(B) The payment of instructional and general fees may be authorized, except as specifically prohibited by the university, for those within the following classifications:

(1) Members of the instructional staff of the university, with the rank of instructor and above who were employed before July 1, 1955 and who are registered in the graduate school, and any member of the teaching staff who, on the approval of the appropriate instructor and department chair or director of a school, enrolls as an auditor (rule 3335-9-11 of the Administrative Code).

(2) Graduate teaching associates, graduate research associates, and graduate administrative associates who meet the specified requirements of enrollment and employment may have their instructional and general fees authorized for payment as a benefit for services rendered.

(3) Employees of organizations having specific contracts with the board of trustees of the university whereby fees of persons designated by the agreement are authorized, in whole
or in part, in lieu of payment for service rendered by the organization to the Ohio state university.

(4) Undergraduate and professional students eligible for the authorization of fees under scholarship assistance programs.

(5) Graduate students eligible for the authorization of fees under university, private, and governmental fellowships and traineeship agreements.

(6) Qualified university employees under the provisions of the fee authorization program as administered by the office of human resources. As a general principle, employees who are members of the administrative or clerical staff of the university will not be permitted to take courses except outside of the prescribed working hours.

(C) The president, subject to the approval of the board of trustees, shall have authority to enter into an agreement with an organization or person not provided for in another category.

(D) A copy of the agreement and the names of person, or persons, designated to sign and certify fee authorizations will be filed with the office of human resources. All agreements shall contain information as to who is responsible for the overall administration of fee authorizations for these programs. Problems of coordination and individual cases that need interpretation of the rules concerning fee authorizations shall be referred for decision to the office of human resources.

(E) In all cases where interpretation and application of the rules specified herein are required, the question shall be referred for decision to the office of human resources. (B/T 6/7/2005)

3335-9-20 Improper admission or registration.

Admission or registration may be cancelled by the director of undergraduate admissions or the university registrar in cases of improper registration or when false or incomplete information is provided on the application for admission, registration forms, or other official documents. No credits earned subsequent to such cancellation and prior to proper admission or registration shall be entered upon the permanent record of the student. Students whose admission or registration is cancelled are not entitled to any refund of fees. (B/T 5/4/2001)

Absences

3335-9-21 Absences.

Each department or school may make its own rules relative to occasional absences by students from scheduled activities. If, however, a student is absent from a course to such an extent as to imperil his or her credit, or is notably irregular in attendance, it shall be the duty of the instructor concerned to report the facts promptly to the dean of the college in which the student is enrolled. The dean may take such action as deemed appropriate.

3335-9-22 Group absences.

(A) Whenever possible, group absences shall be planned so that they do not conflict with regularly scheduled classes.

(B) When a student misses class in order to participate in a university sanctioned event, such as a field trip for another class, or an athletic or band event, or a specially scheduled class or examination scheduled in accordance with rule 3335-8-15 of the Administrative Code, it is the student's responsibility to present, at the earliest possible date, documentation of the required absence to each instructor whose class is to be missed. Documentation may include a copy of the course syllabus that shows the scheduled activity from a class scheduling an event or special session, or a memo from the instructor, coach, or person in authority requiring the absence. It shall be the responsibility of the instructor of the class or coordinator of the event causing the student to miss class to provide such documentation to the student. This
documentation may be the basis of an excuse for an absence from class under the policies provided in rule 3335-9-21 of the Administrative Code.

(C) Instructors of the regularly scheduled classes which have been missed by students attending special sessions or examinations should make reasonable efforts to assist students who miss a class due to authorized absence. The instructor, however, is not obligated to provide make-up classes, laboratory exercises, field trips, or examinations. The student is responsible for material covered in class during the absence. If an examination will be missed, the student should make alternate arrangements prior to the absence with the instructor of the class. (B/T 6/3/88, B/T 6/4/2004)

Warning and Dismissal

3335-9-23 Minimum scholastic requirements.

(A) Rules 3335-9-23 to 3335-9-28 of the Administrative Code shall apply only to undergraduate students (as defined in rule 3335-9-01 of the Administrative Code). The academic standards controlling warning, probation, and dismissal of professional and graduate students shall be established by rule of the faculties of the college in which the professional student is registered, or of the graduate school if the student is a graduate student; provided, however, that an undergraduate professional student shall not be dismissed from the university unless he or she has fifteen or more deficiency points as defined in paragraph (C) hereof and computed on the basis of the student's entire undergraduate program.

(B) Application of rule to transfer students. For the purpose of this rule the deficiency points of a transfer student from another university, who is admitted to advanced standing in this university shall be computed only upon work done at this university.

(C) Requirements and definition. In order to remain in good standing in the university a student must maintain a point-hour ratio (see rule 3335-8-26 of the Administrative Code) of at least 2.00. Deficiency points are applied only to the records of students whose point-hour ratio is below 2.00 and are defined as the number of credit points a student would have to earn to bring his or her point-hour ratio up to that level. Deficiency points may be calculated by subtracting the total number of credit points earned from twice the total number of credit hours attempted for which calculable grades ("A," "A-," "B+," "B-, "B+," "C+," "C," "C-," "D+," "D," "E," or "EN") were given. (B/T 6/4/2004, B/T 6/7/2005)

3335-9-24 Academic warning.

(A) Any student who has never attended another college or university and who seeks to enroll as a new freshman in this university shall be placed on special warning when his or her application for admission is received and processed if his or her academic credentials indicate the probability of low achievement. The student shall be so informed before final registration and the payment of fees are completed, except as provided in rule 3335-9-27 of the Administrative Code. The fact that special warning has been given shall be made known to the office of the college or school to which the student seeks admission.

(B) If, at the end of any quarter, a student subject to the provisions of rule 3335-9-23 of the Administrative Code has accumulated fewer than fifteen deficiency points, he or she shall receive a warning from the dean of his or her college or director of his or her school, except as provided in rule 3335-9-27 of the Administrative Code.

3335-9-25 Academic probation.

(A) Any student who has accumulated fifteen or more deficiency points shall be placed on probation. The probation shall continue provided the student's college considers the student's progress to be satisfactory and shall be removed when the deficiency points are fewer than fifteen. The student shall be notified of probationary status by the dean of the college or the director of the school in which the student is registered, except as provided in rule 3335-9-27 of
the Administrative Code. Such notification shall include a clear statement of what shall be considered to be satisfactory progress.

(B) Probation by special action. If at any time the preparation, progress, or success of a student in an academic program is determined to be unsatisfactory, the college or school in which the student is registered shall be empowered to place the student on academic probation. An undergraduate student admitted with conditions and who has not satisfied the conditions after earning thirty quarter credit hours through regular course enrollment at this university shall be placed on academic probation.

(C) Requirements and definition. In order to remain in good standing in the university a student must maintain a point-hour ratio (see rule 3335-8-26 of the Administrative Code) of at least 2.00. Deficiency points are applied only to the records of students whose point-hour ratio is below 2.00 and are defined as the number of credit points a student would have to earn to bring the student's point-hour ratio up to that level. Deficiency points may be calculated by subtracting the total number of credit points earned from twice the total number of credit hours attempted for which calculable grades ("A," "A-," "B+," "B," "B-," "C+," "C," "C-," "D+," "D," "E," or "EN") were given. (B/T 6/4/2004, B/T 6/7/2005)

3335-9-26 Academic dismissal.

If the student's college or school considers a student's progress as unsatisfactory in meeting the conditions placed on his or her probation, the college or school shall be empowered to dismiss the student from the university. An exception to this authority for undergraduate professional students shall be in accordance with paragraph (A) of rule 3335-9-23 of the Administrative Code. Notice of the dismissal shall be sent to the student by the dean of the college or the director of the school in which the student was registered for the quarter, except as provided in rule 3335-9-27 of the Administrative Code. No student shall be subject to academic dismissal unless he or she is currently on probation.

3335-9-27 Notice of dismissal.

Notice of dismissal from the university shall be sent by the dean of the college in which the dismissed student is registered.

3335-9-28 Reinstatement after academic dismissal.

Any student who may be reinstated by a college or school following academic dismissal shall be subject to such special requirements as may be determined appropriate by the dean of the college or director of the school. If the performance record of any reinstated student does not meet the conditions of probation specified at the time of reinstatement, then the college or school in which the student is registered shall determine whether the student is to be dismissed or continued on probation.

Graduation

3335-9-29 Degrees and certificates.

(A) Degrees and certificates shall be awarded undergraduate and professional students by the board of trustees upon recommendation of the college or school faculties and the university senate, transmitted to the board by the president.

(B) Degrees and certificates shall be awarded graduate students by the board of trustees upon recommendation of the research and graduate council and the university senate, transmitted to the board by the president. (See rule 3335-5-35 of the Administrative Code.) (B/T 6/7/2005)

3335-9-30 Requirements for an undergraduate baccalaureate degree.

To obtain an undergraduate baccalaureate degree from this university, an undergraduate student must:
(A) Have earned a minimum of forty-five quarter hours credit through regular course enrollment at this university.

(B) Have been enrolled in the college, the federation of the colleges of the arts and sciences, or the school recommending that degree during the last quarter necessary to complete degree requirements. The executive committee of the college, the federation of the colleges of the arts and sciences, or the school recommending the degree may, on petition by the student, waive this requirement.

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

(D) Have earned credit points (see rule 3335-8-25 of the Administrative Code) totaling at least twice the number of credit hours attempted at this university for which calculable grades ("A," "A-," "B+," "B," "B-," "C+," "C," "C-," "D+," "D," "E,” "K,” "S,” or "PA") were given.

(E) Have satisfactorily met all additional college and curricular requirements for the degree involved.

(F) Have filed an application for the degree in accordance with rules prescribed by the college or school.

(G) Except for paragraph (B) of this rule, waiver of any part of this rule in the case of individual students may be made only by the council on academic affairs following prior approval by the appropriate executive committee. The executive vice president and provost shall transmit all affirmative actions of the council on academic affairs under this paragraph to the secretary of the student's college and to the university registrar for notation on the student's permanent record. (B/T 4/4/97, B/T 12/4/98, B/T 6/4/2004, B/T 6/7/2005)

3335-9-31 Requirements for a graduate degree.

To obtain a graduate degree from this university, a graduate student must have met the minimum requirements established by the research and graduate council and approved by the board of trustees, and have filed an application for the degree in accordance with rules prescribed by the research and graduate council. (B/T 6/7/2005)

3335-9-32 Requirements for a professional degree.

(A) To obtain a professional degree from this university, a student must meet the minimum requirements established by the college or school recommending the degree. In establishing such minimum requirements, the college or school shall include or exceed the minimum requirements stipulated by the appropriate accrediting body. Such graduation requirements shall be subject to approval by the council on academic affairs and shall be filed with the secretary of the board of trustees.

(B) Waiver of minimum requirements may be made by the faculty of the college or school recommending the degree or by a committee approved by that faculty. Requests for such waiver may be initiated by student petition or by the dean or director. The council on academic affairs shall be notified at least quarterly of each such action.

3335-9-32.1 Requirements for certificate of study.
A certificate of study may be awarded concurrent with or following the student's receipt of a baccalaureate degree. Award of such certificates shall attest to demonstrated competence in a coherent academic curriculum, program, or area of study.

(A) To obtain a certificate a student must:

1. Have been or be enrolled in the university during the last quarter of work necessary to complete the certificate requirement. In addition, the student must meet any residency requirement established by the college, the federation of the colleges of the arts and sciences, or the school recommending the certificate.

2. Have earned through regular course enrollment a minimum of forty-five quarter hours credit in an approved certificate program. No certificate program shall require enrollment in and credit for more than ninety quarter hours. At least one-third of all quarter hours credit earned in a certificate program shall be at the 500-level or above. No more than five credit hours in the certificate program may be counted toward the student's undergraduate major or minor. Credit hours used to fulfill the requirements for one certificate may not be counted toward any other certificate.

3. Have earned the mark of "A," "A-," "B+," "B," "B-," "C+," "C," or "C-" for all courses counted toward the completion of the certificate requirements.

4. Have attained an undergraduate cumulative grade point average of 2.00 (or a graduate cumulative grade point average of 3.00, as appropriate) in courses used to satisfy the certificate program requirements.

5. Have satisfactorily met all additional college or school requirements for the certificate involved.

6. Have filed an application for the certificate in accordance with rules prescribed by the college, federation of the colleges of the arts and sciences, or school.

(B) Waiver of any part of this rule in the case of individual students may be made only by the council on academic affairs upon recommendation of the executive committee of the college, colleges, or school. The executive vice president and provost shall transmit all affirmative actions of the council under this section to the secretary of the student's enrollment unit and to the university registrar for notation on the student's permanent record.

(C) The colleges of dentistry, law, medicine, optometry, and veterinary medicine, and the graduate school may establish requirements and conditions, rather than those above, for certificates of study. Such requirements must be approved by the council on academic affairs.

(D) Authority for approval of all certificate programs shall rest with the council on academic affairs. Proposal for graduate certificates must also receive the approval of the research and graduate council. The president of the university and the university senate shall be regularly informed of council actions in this regard. (B/T 2/3/79, B/T 2/3/84, B/T 7/12/85, B/T 11/2/90, B/T 4/4/97, B/T 12/4/98, B/T 6/7/2005, B/T 12/2/2005)

3335-9-33 Standards for honors at graduation.

(A) Degrees "cum laude," "magna cum laude," and "summa cum laude" may be granted for exceptional achievement in the curriculum of each enrollment unit. The designation "summa cum laude" may be granted only for those students who have achieved at least a 3.90 cumulative point-hour ratio as of the term penultimate to their graduation. The designation "magna cum laude" may be granted only for those students who have achieved at least a 3.70 cumulative point-hour ratio as of the term penultimate to their graduation. The designation "cum laude" may be granted only for those students who have achieved at least a 3.50 cumulative point-hour ratio as of the term penultimate to their graduation.
(1) Should a student not meet the criteria noted above as of the term penultimate to his or her graduation, but meet the criteria based on his or her cumulative GPA at the time of graduation, he or she will be considered as having met the criteria to graduate with the appropriately revised recognition.

(2) Should a student meet the criteria noted above as of the term penultimate to his or her graduation, but drop below the threshold with his or her final cumulative GPA, he or she will not be considered to lose his or her Latin honors recognition for graduation.

(B) Eligibility for these honors shall be based on a minimum of ninety credit hours of course enrollment at this university. The marks for all Ohio state coursework considered toward the degree will be included in calculating a student's eligibility for such honors. Credits in courses graded "S/U," as well as credits earned in repeatable coursework will be considered as counting toward the ninety credit hours. Credits in courses graded "PA/NP," as well as credits earned in coursework repeated in rule 3335-8-28 of the Administrative Code will not be considered as counting toward the ninety credit hours. For a student who has completed ninety credit hours subsequent to application of a fresh start, in accordance with rule 3335-8-26.1 of the Administrative Code, only those marks received for coursework subsequent to fresh start will be considered toward calculating a student's eligibility for such honors.

(C) Standards for graduation "with research distinction in [special subject(s)]," "with honors research distinction in [ ]," and "with honors in [ ]" shall be as adopted by the council on academic affairs. Eligibility for these honors shall be based on a minimum of ninety credit hours of course enrollment at this university. The marks for all Ohio state coursework considered toward the degree will be included in calculating a student's eligibility for such honors. Credits in courses graded "S/U" and credits earned in repeatable coursework will be considered as counting toward the ninety credit hours. Credits in courses graded "PA/NP" and credits earned in coursework repeated in rule 3335-8-28 of the Administrative Code will not be considered as counting toward the ninety credit hours.

Chapter 3335-11
RULES OF THE UNIVERSITY FACULTY
STUDENT AFFAIRS
University Discipline

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 life (see paragraph (H) of rule 3335-1-03 of the Administrative Code).
(B) The deans of colleges and of the graduate school, the directors of schools, and the chairs of departments, respectively, are responsible to the president through regular disciplinary channels for the discipline of all students in the activities of their respective colleges, schools, and departments. (B/T 9/1/99, B/T 6/1/2001, 5/14/2010)

3335-11-02 Disruption.
(A) No student, faculty, staff, visitor, or other person shall, with an intent to disrupt university authorized activities:
   (1) Obstruct the lawful movement of any person or persons about the campus, into or out of any university building or facility, or within any university building or facility and fail to desist when so ordered by an authorized university official;
   (2) Obstruct the movement of vehicular traffic on the streets of the university, and fail to desist when so ordered by an authorized university official;
   (3) Occupy a university building or facility in such a manner as to prevent others from carrying out university authorized activities and fail to depart when informed by an authorized university official that he or she is disrupting university authorized activities and must depart;
   (4) Interfere with the conduct of a class, office, laboratory, or other university authorized activity by shouting, chanting, marching, throwing missiles, or otherwise creating such a disturbance that the authorized activity cannot, in the judgment of an authorized university official, be carried on, and fail to desist when so ordered by an authorized university official;
   (5) Employ force or violence or the explicit threat of force or violence, to prevent any person or persons from carrying out university authorized activities;
   (6) Damage public address systems, television sets, laboratory equipment, computer systems, or other property used for the carrying out of university authorized activities;
   (7) Solicit any person or persons to violate paragraphs (A)(1) to (A)(6) of this rule, knowing that there is a clear and present danger that such violations will occur (but a person shall not be charged with soliciting unless a violation of paragraphs (A)(1) to (A)(6) of this rule occurs as a result of this solicitation).
   (8) This rule shall not be interpreted as proscribing peaceful demonstrations, peaceful picketing, a call for a peaceful boycott of classes or other forms of peaceful dissent.
(B) Any student found guilty of the conduct proscribed in paragraphs (A)(1) to (A)(7) of this rule shall be subject to maximum sanction of dismissal or any lesser disciplinary sanction pursuant to rule 3335-11-02.1 of the Administrative Code.
(C) Non-students charged with the conduct proscribed in paragraphs (A)(1) to (A)(7) of this rule shall be referred to an appropriate authority.

(D) Definitions.

(1) The phrase "with an intent to disrupt" shall be taken to mean that a person knows or reasonably should know that his or her act or acts will have the consequence of preventing others from carrying out university authorized activities.

(2) The phrase "to obstruct" shall be taken to mean making the movement of a person or vehicle from one place to another difficult or impossible; it shall not be taken to mean making that movement inconvenient.

(3) The phrase "university authorized activity" shall be taken to mean any activity that the university conducts, sponsors, or permits to be carried out on the campus or in any university building or facility.

(4) The phrase "an authorized university official" shall be taken to mean any person to whom the university has delegated authority to supervise a building or facility, or any part of a building or facility, or to supervise the movement of people and vehicles on the campus.

(5) The phrase "campus" shall be taken to mean university owned or controlled property.

3335-11-02.1 Hearing officers and panels.

(A) The council on student affairs shall recommend to the president, subject to the approval of the board of trustees, a list of attorneys, unaffiliated with the university, who shall be authorized to act as hearing officers to preside over disciplinary proceedings under rule 3335-11-02 of the Administrative Code. One such attorney shall be designated by the president as chief hearing officer, whose duties shall include:

(1) Assisting the council on student affairs in preparing and enacting procedural rules to guarantee due process, including, but not limited to, the procedural recommendations contained in the report and recommendations of the university committee on rights and responsibilities (the Ohio state university, September 15, 1968);

(2) Selecting hearing officers as needed from the approved list;

(3) Reviewing every case in which sanctions have been recommended, to determine whether such sanctions should be imposed or reduced, or whether the case should be dismissed or remanded for further hearing;

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

(5) Hearing on appeal student disciplinary cases, not including university actions relating to academic failure or violations of a code of professional ethics or of an honor code of these colleges or academic units having such codes, where an appeal is taken by any student from any such action by the student's college, university committee, or other properly authorized university adjudicatory body, only in those cases where the penalty assessed was suspension, dismissal, or expulsion.

(B) That an array of hearing panelists, large enough to allow at least three panels, shall be selected by lot consisting of:

(1) Faculty members,

(2) Undergraduate students,
(3) Graduate and professional students, and
(4) Administrative staff members.

Any person selected to serve as hearing panelist may be exempted from such service if that person declines.

(C) The chief hearing officer shall, by lot, select from the array hearing panels, each composed of two faculty members, two undergraduate students, one graduate or professional student, and one administrative staff member. The hearing panels shall have original jurisdiction to hear cases of alleged student violation of rule 3335-11-02 of the Administrative Code brought before it by authorized university officials, make findings of fact, determine a verdict, and, in the event of a guilty verdict, to recommend sanctions.

(D) The university and the defendant shall have the right to challenge for cause. The hearing officer shall hear challenges for cause. (B/T 5/1/86, B/T 7/12/91, B/T 4/3/98, B/T 6/1/2001, 5/14/2010)

3335-11-02.2 Pending criminal law suit.

(A) Whenever a criminal court exercises jurisdiction over acts which allegedly constitute a disruption by university rules, the university shall not exercise jurisdiction, except in an extraordinary case. In such a case, the university may bring the student before a hearing officer and panel to determine whether the student poses a clear and present danger of repeated or continued violation of rule 3335-11-02 of the Administrative Code. If the panel finds that such a danger exists, it shall recommend that the student's continued enrollment be dependent on the imposition of strict disciplinary probation, under such terms and conditions as the hearing officer may specify (except that the student may not be deprived of university scholarship, loan, grant-in-aid, or employment).

(B) The term of probation shall last until such time as the hearing officer finds that the danger no longer exists. This finding may be initiated by the officer or upon petition by the student.

(C) If a probation violation is alleged to have occurred, the student will be subject to an immediate hearing before a hearing officer. If found in violation of probation, the student will be temporarily suspended or dismissed from the university pending a full hearing. (B/T 5/1/86, B/T 7/11/86)

Activities

3335-11-03 Organized activities.

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

(B) These regulations shall include a requirement that each registered organization shall have an adviser, selected by the student organization from members of the university faculty or administrative and professional staff. In accepting responsibility the adviser agrees to maintain contact with the organization so as to be familiar with its program and personnel. In addition, the adviser shall be responsible for advising the organization as to its program and personnel, having in mind not only the objectives of the particular group but also the purposes of the university, one of which is to foster a spirit of free inquiry in a setting which provides for open-minded, objective, and critical evaluation of the ideas expressed. (B/T 5/14/2010)

3335-11-04 Eligibility of students.

(A) The vice president for student life shall promulgate regulations governing the eligibility of students for participation in all organized activities. (See rule 3335-11-03 of the Administrative Code.)
(B) Participation in activities as a part of regular course work shall not be construed as participation in an organized activity for the purpose of rule 3335-11-03 or 3335-11-04 of the Administrative Code. (B/T 5/14/2010)

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 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, 5/14/2010)

3335-11-06 Student use of university facilities.

(A) University facilities including outdoor space assigned to a student organization shall be used only for the usual activities of such student organizations. If a student organization desires to use such facilities for purposes other than its usual activities, it shall request permission for such use from the office of student activities.

(B) No student, group of students, or registered student organization may announce an activity involving the use of university facilities including outdoor space or may use such facilities for an activity, unless such use has first been approved and scheduled first by the office of student activities, or other office in charge of scheduling for that particular building, as delegated by the office of the university registrar in accordance with rule 3335-13-03 of the Administrative Code. (B/T 7/8/2005)

The Ohio Union

3335-11-07 Purpose.

The Ohio union exists for the primary purpose of serving students in their cultural, social, recreational, and leadership activities. The Ohio union is also established to serve the faculty, staff, alumni, and guests of the university. (B/T 9/7/59, B/T 7/11/75, B/T 4/2/96, B/T 6/29/2001)

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 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, 5/14/2010)

3335-11-09 The Ohio union council.

(A) The Ohio union council shall consist of thirty-three members, with service beginning first summer term, chosen as follows:

(1) Fourteen students.

(a) Two graduate students selected by the council of graduate students. Term of service shall be alternating two year terms.

(b) Two professional students selected by the inter-professional council. Term of service shall be alternating two year terms.

(c) Two undergraduate students selected by the undergraduate student government. Term of service shall be alternating two year terms.

(d) Four student members from registered student organizations shall be selected by the director of the Ohio union. Two students shall be members of student organizations
with office space at the Ohio union each serving alternating two year terms. Two students shall be members of student organizations without office space at the Ohio union each serving alternating two year terms.

(e) Two student employees of the Ohio union appointed by the director, one of whom serves as a graduate assistant. Term of service shall be one year.

(f) The president of the Ohio union activities board ex-officio, or designee.

(g) The chair of the council on student affairs, ex-officio non-voting, or designee.

(2) Two regular faculty.

Two regular members selected by the director of the Ohio union in consultation with the chair of the faculty council. Term of service shall be alternating two year terms.

(3) Seven staff members.

(a) The director of the Ohio union shall be an ex-officio, non-voting member of the council.

(b) One staff member shall be appointed by the university staff advisory committee. Term of service shall be two years.

(c) One student life staff member shall be appointed by the vice president for student life. Term of service shall be two years.

(d) The director of development for the Ohio union shall be an ex-officio, non-voting member of the council.

(e) The director of business and finance for the Ohio union shall be an ex-officio, non-voting member of the council.

(f) The director of event services for the Ohio union shall be an ex-officio, non-voting member of the council.

(g) One non-voting student life staff member to act as the secretary for the council appointed by the director of the Ohio union. Term of service is one year.

(4) Two alumni members.

Two alumni members shall be appointed by the Ohio state alumni association in consultation with the council. Term of service shall be one year.

(5) Four community members.

Four community representatives shall be selected under procedures established and documented by the council. Two appointments shall be made in consultation with university development. Term of service shall be one year.

(6) Two parents.

Two parents of a current student, at the time of appointment, shall be selected under procedures established and documented by the council. Term of service shall be one year.

(7) Two at-large.

Two at-large members shall be selected under procedures established and documented by the council. Term of service shall be one year.
(8) Reappointment.

All voting members with one year terms are eligible for reappointment three times. All voting members with two year terms are eligible for reappointment once. No individuals holding a voting position shall serve for more than four consecutive years.

(9) Alternates.

Members of the Ohio union council may have an alternate. The chair has responsibility for recording correct voting status. If the member has voting status, the alternate may vote in the event of the member’s absence. Ohio union council shall establish rules governing the selection of alternates.

(B) Duties and responsibilities.

(1) Establish general policy on such matters as, but not limited to, financial planning, facility use, student development, public and campus relations. These policies shall guide the administration of the program of the union by the director of the union, but the council shall not serve in an administrative capacity.

(2) Advise the director of the Ohio union regarding the programs, services, and activities of the Ohio union.

(3) Establish committees as needed to explore issues affecting the Ohio union.

(4) Perform duties as assigned by the council on student affairs.

(5) Report regularly to the council on student affairs.

(6) The council shall establish, amend, and maintain operating procedures to conduct, in an orderly fashion, the functions of the council.

(C) Organization.

The chair shall be elected from among the incoming and continuing student members of the council during the last regularly scheduled meeting of spring quarter. For purposes of this election, all incoming and continuing members shall be eligible to vote; incoming and continuing members may choose alternates if necessary. (B/T 9/7/59, B/T 2/9/67, B/T 11/9/67, B/T 12/3/71, B/T 7/11/75, B/T 7/20/79, B/T 2/7/86, B/T 11/2/90, B/T 7/12/91, B/T 4/2/96, B/T 4/3/98, B/T 6/29/2001, B/T 3/3/2006, B/T 6/5/2009)

3335-11-10 University recreational sports committee.

(A) Membership.

The university recreational sports committee shall consist of twenty-one members:

(1) Two faculty members appointed by the faculty council. The term of service is two years.

(2) Nine students:

(a) Two graduate students selected by the council of graduate students. The term of service is two years.

(b) One professional student selected by the inter-professional council. The term of service is one year.

(c) Six undergraduate students selected by the undergraduate student government.
The term of service is two years.

(3) Two staff members selected by the university staff advisory committee. The term of service is two years.

(4) Seven administrators or their designees, non-voting:

(a) The vice president for student life.
(b) The senior vice president for business and finance.
(c) The director of the department of recreational sports.
(d) The associate vice president for the department of physical facilities.
(e) The director of the department of athletics.
(f) The director of the school of physical activity and educational services.
(g) The director of the student wellness center.

(5) One non-voting staff member from the department of recreational sports to act as the secretary for the committee. The term of service is one year.

(B) Duties and responsibilities.

(1) Initiate recommendations and review proposals with regard to policies that may affect the recreational sports facilities and programs.

(2) Make recommendations to the director of recreational sports regarding the usage priority for recreational sports facilities space, co-operative recreational sports ventures, and adjustments to agreements specified in the 1998 Larkins hall "Project Memorandum of Understanding."

(3) Collect feedback on recreational sports issues in order to evaluate the quality of recreational sports facilities maintenance, daily operations, and programs, recommending changes as appropriate.

(4) Annually review and revise the long-term maintenance plan for recreational sports facilities.

(5) Reviewing all budgets and expenditures of the department of recreational sports and the appropriate portions of budgets and expenditures of all general funds, student affairs funds, college of education and human ecology funds, and department of athletics funds that contribute to recreational facilities operations and programs.

(6) Deciding the future of the Larkins hall construction debt service portion of the student recreation fee once the debt service has been retired.

(7) Recommending the disbursement of windfall dollars such as donor gifts, corporate sponsorship and advertising revenue upon review of established recreational sports facilities funding proformas.

(8) Recommending intra-departmental fees for non-recreational sports use of space designed and funded for recreational sports.

(9) Serve as a channel of communication for information regarding recreational sports among the office of business and finance, the department of physical facilities, the college of education and human ecology, the school of physical activity and educational services, the department of athletics, the council on student affairs, the athletic council, the
undergraduate student government, the council of graduate students, the inter-professional council, faculty council, and the university staff advisory committee.

(10) Report annually to the council on student affairs.

(C) Organization.

(1) The chair shall be elected from among the student membership of the committee.

(2) The committee shall establish operating procedures to conduct, in an orderly fashion, the functions of the committee. (B/T 7/11/2003, B/T 12/5/2003, B/T 7/7/2006, 5/14/2010)
Chapter 3335-13

RULES OF THE UNIVERSITY FACULTY
UNIVERSITY PROPERTY

Restrictions

3335-13-01 Drives and canvassing.

(A) Canvassing or solicitation for funds, sales, or subscriptions are prohibited on university campuses or in university buildings unless written permission therefor shall first have been granted by the office of the university registrar which may seek recommendation regarding requests for permission from appropriate university offices.

(B) The sale of merchandise of any kind whatsoever, or publications or services upon university property, other than by the regularly authorized stores, restaurants, departments or divisions of the university, is likewise prohibited except upon written permission of the office of the university registrar which may seek recommendation regarding requests for permission from appropriate university offices. The responsibility and authority of the office of the university registrar under this rule may be delegated by it to a member of the university faculty or staff.

(C) Any persons violating this rule shall be subject, upon proper notice, to eviction from university property or arrest.

3335-13-02 Smoking - tobacco.

The prohibition of the smoking of tobacco within university facilities designated as "No Smoking" areas by the authority delegated by the director of administrative services of the state of Ohio has been established to protect the comfort and health of persons who do not smoke or to whom such smoke is objectionable. Further, the smoking of tobacco in such designated areas is a violation of section 3791.031 of the Revised Code, and all violators are subject to prosecution.

3335-13-03 University facilities.

(A) University facilities may be scheduled and used only if the meeting is sponsored by at least one of the following: the university; an administrative unit of the university; the president or a member of his or her staff; a member of the university faculty; a club or committee of university faculty members, university staff members, or their spouses; or a recognized student organization (see rule 3335-11-03 of the Administrative Code).

(B) The office of the university registrar shall be responsible for the scheduling of and shall have the necessary authority to schedule all university facilities. No meeting shall be scheduled in or announced for any university facility unless permission to use the facility has been obtained in advance from the office of the university registrar. All requests for the use of university facilities shall indicate the nature of the proposed meeting. If the proposed meeting is one to which a guest speaker is to be invited, the request for the use of university facilities shall indicate the name of the guest speaker and shall be submitted to the office of the university registrar at least two weeks prior to the date the meeting is to be held, but such two-week period may be waived by the office of the university registrar if the exigencies of the situation so require and the orderly scheduling of university facilities would not be unduly prejudiced (see rule 3335-5-06 of the Administrative Code).

(C) The word "meeting" as used in rules 3335-5-06, 3335-11-06, and 3335-13-03 of the Administrative Code means any meeting using university facilities to which the faculty, staff, students or public is invited, except regularly scheduled university courses, conferences approved under university procedures, and meetings of state, regional, national or international organizations approved under university procedures.
(D) The responsibility and authority of the office of the university registrar under this rule may be delegated by it to a member of the university faculty or of the staff of this university. (B/T 10/12/62, B/T 9/14/65, B/T 12/3/71, B/T 2/3/84, B/T 5/3/96)

3335-13-04 Duplication of keys.

Except as specifically authorized by the president, no person shall knowingly make or cause to be made any key for any building, laboratory, facility, or room of the university. (B/T 4/12/63)

3335-13-05 Control of dogs and other animals.

(A) No person, being the owner or keeper, or harboring or having charge of any dog or other animal, shall permit the same upon the grounds of the Ohio state university unless it be under the personal control of its owner or keeper by a leash not more than six feet in length. A dog or other animal, leashed but unattended, is not under the personal control of its owner or keeper. Nor shall such a person, being the owner or keeper or harboring or having charge of any dog or other animal, permit the same in any university building or housing, except for seeing eye dogs when accompanying their masters and except for animals brought by their owner or keeper for use for approved research purposes or for observation or care by veterinary clinic personnel.

(B) Any dog or other animal found upon the grounds of the Ohio state university or in any university building, except as permitted pursuant to the provisions of paragraph (A) of this rule, may be taken into custody by university authorities. University authorities shall, as soon as practicable after assuming custody thereof, turn the dog or other animal over to appropriate county or municipal authorities for delivery to the custody of the humane society. Release from custody should be sought pursuant to the society's rules.

(C) The owner or keeper of any dog or other animal taken into custody by university officials pursuant to this rule shall pay a fine to the university, upon presentation of a bill therefor, to reimburse the university for costs incurred in impounding the dog or other animal and turning it over to the control and custody of county or municipal authorities. (B/T 7/31/69, B/T 9/2/71, B/T 9/10/76, B/T 8/29/2001)

Patent Rights

3335-13-06 Rights to and interests in patentable discoveries and inventions, copyrights, and related materials.

(A) This rule shall apply to all products of university research (where "university research" is as defined in the current university policy on patents and copyrights), defined to be inventions and other legally protectable material arising out of university research, including any discovery, invention, know-how, design, model, work of authorship, and any strain, variety or culture of an organism, or any portion, modification, translation or extension of these items. Products of research will not include works of artistry, academic instruction, or traditional scholarship insofar as these works were not produced in connection with a sponsored program or as a part of a specific university duty or assignment.

(B) The board of trustees deems it in the best interest of the university, its faculty, staff, and students, and in the interest of the promotion of research and development to provide for participation by faculty, staff, and students in the proceeds from products of research conceived or developed by them in the absence of any prior agreements relating to sponsored activities and insofar as allowed by any contract or grant agreements in support of the activity leading to the product of research.

(C) The board of trustees shall establish a policy on patents and copyrights to be administered under the direction of the president of the university through the office of the senior vice president for research. The provisions of the policy shall be subject to review by the faculty committee on patents and copyrights and recommended to the board of trustees by the university senate.
(1) The faculty committee on patents and copyrights shall be composed primarily of members of the university faculty and shall elect its own chair. Five members shall be elected by the faculty council in a manner to be determined by the council. One graduate student shall be appointed by the council of graduate students in a manner to be determined by that council. Five members shall be appointed by the president in consultation with the senior vice president for research, the executive vice president and provost, and other appropriate officials of the university. Service on the committee shall be for terms not to exceed three years. An individual may become eligible for committee service again after an absence from the committee of at least one year.

(2) The specific duties of and the procedures for appeals to the committee shall be as described in the policy on patents and copyrights.

(D) Subject to the authority of the president of the university, the senior vice president for research is hereby assigned the responsibility for the acquisition, protection and disposition of rights in products of university research in accord with the policy on patents and copyrights. (B/T 4/12/63, B/T 5/8/69, B/T 10/4/85, B/T 4/4/86, B/T 11/2/90, B/T 4/4/97, B/T 12/4/98, B/T 5/7/2004)

3335-13-07 Rules governing faculty and staff participation in companies commercializing university research.

(A) Policy statement.

Pursuant to section 3345.14 of the Revised Code, the university board of trustees has determined that the interests of the university will be served if faculty and some categories of staff are afforded the opportunity to hold personal financial interests in companies commercializing their university research. Faculty and staff participation in technology licensing transactions will facilitate the university's goal of making its research available for use in the private marketplace by giving researchers an incentive to develop inventions with commercial applications. The opportunity to participate in these transactions is also essential to the university's efforts to attract and retain highly-qualified researchers. The procedures and guidelines set forth in these rules are intended to enable the university to realize the benefits of these entrepreneurial activities while protecting the integrity of our research and educational mission and to comply with university policies and applicable federal and state laws.

(B) Definitions.

(1) A technology commercialization company is a private commercial entity that is owned in whole or in part by a university employee and that has as its purpose the development and commercialization of university-owned technology created by that employee.

(2) The university's ownership of intellectual property rights in technology created by its faculty and staff is determined in accordance with section 3345.14 of the Revised Code and the university policy on patents and copyrights. As more fully explained in the policy on patents and copyrights, university-owned technology generally does not include textbooks and other scholarly and artistic works.

(3) The technology transfer oversight committee is the university body responsible for the approval and oversight of technology commercialization companies pursuant to a delegation of authority from the university board of trustees.

(4) The conflicts of interest administrator is the university official who is responsible for assisting faculty and other university employees in identifying, managing and eliminating conflicts of interest, and in particular for facilitating the development of conflict of interest management plans for faculty and staff participating in technology commercialization companies.
(C) Applicability.

(1) These rules shall apply to all faculty who create intellectual property owned by the university and who desire to hold an ownership interest in a technology commercialization company.

(2) These rules shall apply to staff members holding unclassified appointments, graduate associates, and student employees who:

(a) Are specifically assigned to engage in research and development activities;

(b) Create intellectual property owned by the university; and

(c) Desire to hold an ownership interest in a technology commercialization company.

(D) Responsibilities of department chairs and staff supervisors.

(1) Department chairs are responsible for ensuring that faculty who participate in technology commercialization companies comply with applicable university policies governing the terms and conditions of employment, and academic and research activities. Chairs are also responsible for ensuring compliance with the paid external consulting and faculty conflict of interest policies and for reviewing and making a recommendation as to the propriety of private business activities reported by their faculty in disclosure forms required by those policies.

(2) Staff supervisors are responsible for ensuring that employees who participate in technology commercialization companies comply with applicable university policies governing the terms and conditions of employment, and academic and research activities. They are also responsible for ensuring compliance with the university policies on conflicts of interest and work outside the university applicable to staff employees and for reviewing and making a recommendation as to the propriety of private business activities reported by staff in disclosure forms required by those policies.

(E) Approval process.

(1) Faculty and staff members who wish to participate in a technology commercialization company must first obtain approval from their department chairs and deans or other appropriate supervisors. The office for technology licensing will be responsible for establishing the business terms of the transaction between the company and the university, and the conflicts of interest administrator will facilitate the development of a conflict of interest management plan.

(2) The technology transfer oversight committee will review the sufficiency of business terms and conflict of interest management plans relating to technology commercialization companies. Written approval from the technology transfer oversight committee must be obtained before any business agreements relating to a technology commercialization company are finalized.

(3) Faculty or staff members who wish to participate in a technology commercialization company may discuss initial company formation with the office for technology licensing; however, they should not, as a general rule, participate in the ongoing negotiation of option and licensing terms between the company and university. As soon as possible, third parties, such as company management and/or legal counsel should perform this function.

(4) As a prerequisite to the granting of an exclusive license to university technology, a technology commercialization company must provide the office for technology licensing with a viable business plan including, at a minimum, the following:

(a) A capitalization plan demonstrating access to funds necessary for company growth;
(b) A proposed management team; and

(c) Milestones for product development and commercial sale.

(5) In recognition of the university’s ownership of the technology, a technology commercialization company shall grant the university an equity interest in the company as negotiated by the office for technology licensing.

(6) The faculty member’s department chair or the staff member’s supervisor must be active participants in discussions with the technology transfer oversight committee and in the development of the conflict of interest management plan relating to a technology commercialization company.

(7) A chair or staff supervisor who has a financial interest or is a co-participant with a faculty or staff member in a technology commercialization company is not in a position to provide effective oversight of that activity. In these situations, another disinterested administrator must be appointed by the technology transfer oversight committee to perform the responsibilities of the chair or staff supervisor.

(8) If the technology transfer oversight committee determines that, for any reason, it is not possible for the chair, the staff supervisor or another disinterested administrator to provide effective oversight of a transaction involving a technology commercialization company, the transaction should not be approved.

(F) Responsibility for university duties.

(1) Faculty are encouraged to develop discoveries and inventions with commercial potential; however, they should do so with due regard to the broader teaching and research mission of the university. Faculty should not allow their interest in a financial opportunity arising out of their research efforts to influence their teaching, or to interfere with their relationships with other faculty. In particular, research assignments for students should be based on the students’ interests and academic development. Faculty should respect and promote the cooperative nature of the academic environment by sharing information and participating in joint research efforts with their colleagues.

(2) While faculty are permitted by the policy on paid external consulting and these rules to engage in specified private business activities relating to their university positions, they continue to be responsible for the performance of all of their university teaching, research and service obligations. Authorized private business activities must be undertaken in accordance with the policy on paid external consulting and pursuant to formal consulting and conflict of interest management plans signed by the faculty, the technology commercialization company and the university and approved by the department chair, the conflicts of interest administrator, the office for technology licensing, and the office of legal affairs.

(3) Staff members may engage in activities relating to a technology commercialization company during regularly assigned working hours only if they take approved leave. When performed outside regularly assigned working hours, these activities must be undertaken in accordance with the university policies on conflicts of interest and work outside the university applicable to staff employees and pursuant to a formal conflict of interest management plan signed by the staff member, the technology commercialization company and the university and approved by the department chair and/or supervisor, the conflicts of interest administrator, the office of technology licensing, and the office of legal affairs.

(4) Staff members may pursue research projects as authorized by their supervisors. Supervisors should authorize only those staff research projects that will advance the missions of the university and the employing unit, without regard to the financial interests of individual employees.
(G) Conflict of interest management standards.

(1) University facilities, equipment and other resources may be used for research benefiting a technology commercialization company only pursuant to a sponsored research agreement, facilities use agreement or other appropriate contractual arrangement.

(2) As a general rule, faculty or staff should not hold management positions in technology commercialization companies. While they may initially find it necessary to play a management role in a newly-formed company, it is expected that their management responsibilities will decrease as the company develops. Professional management should be brought in at the earliest opportunity. In order to ensure the application of this principle, agreements between the university and a technology commercialization company should contain enforceable milestones for the reduction of these management responsibilities. Failure to comply with these agreed-upon milestones will result in the company's inability to engage in sponsored research, utilize student employees and the other commercialization agreements and/or activities permitted under these guidelines.

(3) Faculty should not allow their management activities with technology commercialization companies to consume a disproportionate amount of their professional attention. Faculty engaged in approved private business activities who are unable to perform all of their university responsibilities must reduce those activities or request a reduction of appointment or other approved leave. Professional improvement leave authorized under section 3345.28 of the Revised Code may not be used for private business purposes.

(4) Staff members who are unable to perform all of their university duties because of activities in connection with technology commercialization companies must reduce those activities or request a reduction of appointment or other approved leave.

(5) Graduate and undergraduate students may use university facilities, equipment and other resources to perform research benefiting a technology commercialization company only pursuant to a sponsored research agreement. As stipulated in the graduate school handbook, such research may not be used to satisfy the criteria for a thesis or dissertation if the material is restricted from publication. Students must be informed in writing of this restriction prior to the start of their research.

(6) Students may be employed by a technology commercialization company, subject to the limitation set forth in paragraph (G)(7) of this rule. Prior to such employment, the student, the faculty or staff member, the chair of the student's department, the chair of the graduate studies committee and a company representative must sign an agreement disclosing the student's rights and obligations.

(7) A student may not be employed by a technology commercialization company in which a faculty member has an ownership interest if:

(a) The student is enrolled in a course taught by the faculty member;

(b) The faculty member is a member of the student’s thesis or dissertation committee; or

(c) The faculty member is the student’s advisor or the director of his or her thesis or dissertation research.

Such students may perform research benefiting a technology commercialization company only pursuant to a sponsored research agreement or other formal internship agreement through the university.

(8) Technology commercialization companies may not enter into any agreements with the university for the purchase, sale or rental of equipment, supplies or services other than those explicitly authorized by the technology transfer oversight committee.
(9) As a general rule, faculty and staff members who are not directly involved with research and development of technology licensed to a technology commercialization company may not hold equity interests in that company. Equity ownership in these situations is permissible only to the extent allowed by section 2921.42 of the Revised Code.

(10) University regulatory review boards including, for example, the institutional review board and the institutional laboratory animal care and use committee, may be utilized for research benefiting a technology commercialization company only pursuant to a sponsored research agreement.

(11) As a general rule, an individual faculty or staff member should not hold more than twenty-five per cent of the outstanding equity in a technology commercialization company. While significant faculty or staff equity ownership may be inherent in a newly-formed company, it is expected that their ownership interests, as a percentage of the total outstanding shares or membership interests of the company, will decrease as the company develops and attracts additional equity. In order to ensure the observance of this principle, agreements between the university and technology commercialization companies should contain enforceable milestones for the dilution of these equity interests. Failure to comply with these agreed-upon milestones will result in the company's inability to engage in sponsored research, utilize student employees and the other commercialization agreements and/or activities allowed for under this rule.

(12) Faculty or staff members may not assume the role of principal investigator in sponsored research projects funded by technology commercialization companies in which they have an interest if the projects involve the use of human subjects, or if they are veterinary clinical trials involving the use of animals. In other cases, faculty or staff may assume the role of principal investigator if a formal research integrity plan approved by the technology transfer oversight committee, the conflicts of interest administrator and the office of legal affairs is in place.

(13) Agreements for sponsored research projects funded by technology commercialization companies must include, at a minimum, a requirement for full university publication rights and fully negotiated cost recoveries. The office of research must approve exceptions to these conditions.

(14) Faculty and staff participating in technology commercialization companies approved pursuant to these rules continue to be bound by the university policy on patents and copyrights. New inventions and/or discoveries made as a result of a faculty or staff member's research efforts for the company, including those made under formal consulting agreements, will be owned by the university, and the company will be offered an exclusive option to the technology. New inventions and/or discoveries developed by the faculty or staff member for the company must be disclosed to the office of technology licensing as required by the policy on patents and copyrights. (B/T 4/6/2001, B/T 6/29/2001)

3335-13-08 Research misconduct.

The university shall have a policy on research misconduct (“the policy”) issued and maintained by the university research committee. “research misconduct” means fabrication, falsification or plagiarism in proposing, performing, or reviewing research, or in reporting research results. Research misconduct does not include honest error or differences of opinion.

(A) Objectives.

(1) The policy shall aim to protect both the integrity and the reputation of research and scholarship produced by members of the university community.

(2) The policy shall aim to protect the integrity and reputation of the university and its scholars from false or unproven allegations of research misconduct. For this reason, the university assumes that a person accused of research misconduct is innocent of any allegations until
the contrary has been established by a final decision reached under the policy and the applicable disciplinary rules or procedures. The procedures undertaken pursuant to the policy are intended to be investigatory, not adversarial.

(B) Jurisdiction.

(1) The policy shall apply to all university personnel who may be involved with research activities, including faculty members, staff, students, research associates and fellows, post-doctoral fellows, and other research trainees.

(2) The policy shall therefore apply to all research and scholarship conducted within the University community, irrespective of the funding source, if any, which supports the research or scholarship.

(3) The terms “research” and “scholarship” shall be broadly construed, including activities ranging from scientific experimentation to artistic expression to research and scholarship in the humanities.

(4) All persons to whom the policy applies, including those accused of research misconduct, have a duty to cooperate with all proceedings under the policy as well as any subsequent investigations. Such cooperation shall include providing research records and other relevant information to the senior vice president for research and/or his or her designee.

(C) Confidentiality.

To the extent possible within the law and in accordance with the need to conduct a thorough inquiry, all participants in the actions initiated pursuant to the policy shall keep confidential all information regarding allegations and proceedings until the university process, including any disciplinary action, has concluded and all avenues of appeal under the university rules (if pursued) have been exhausted. The senior vice president for research shall be the university official responsible for determining when a release of information is necessary or appropriate.

(D) Administration of the policy.

(1) The senior vice president for research shall be responsible for disseminating the policy to the research community and handling all allegations of research misconduct. In order to foster broad familiarity with the policy, as well as its flexibility regarding changing standards external to the university, the full policy document shall be publicized by the office of academic affairs, the graduate school, the office of human resources, the office of research, the university research committee, the office of undergraduate research, and the university senate.

(2) The senior vice president for research shall designate a coordinator to assist in administering the policy. The person appointed as coordinator shall not be university counsel acting in that capacity, but shall consult with university counsel to ensure that the requirements of the law and university policy are being satisfied.

(E) Administrative Actions.

The senior vice president for research may, during proceedings under the policy or any subsequent investigation, take whatever administrative actions that are in his or her judgment needed to ensure the integrity of the investigation and to protect research funds or equipment or the legitimate interest of patients or clients.

(F) Definitions.

The key terms for the policy shall be defined in the policy document.

(G) Procedures.
(1) The policy shall describe procedures pertaining, but not limited to: assessing whether an allegation has been made in good faith and has merits; investigating pursuant to such findings; the role of administrators and other individuals in the process; the time line for such investigations; protecting data; reporting to sponsors and clients; and sanctions.

(2) A finding of research misconduct requires that:

(a) There be a significant departure from accepted practices of the relevant research community;

(b) The misconduct be committed intentionally, knowingly, or recklessly; and

(c) The allegation be proved by a preponderance of the evidence.
Chapter 3335-15

RULES OF THE UNIVERSITY FACULTY
MISCELLANEOUS PROVISIONS

Definitions

3335-15-01 The university.

Unless specifically noted, the phrases "the university" and "this university" refer to the basic organization of the educational units of the university as defined by rule 3335-1-05 of the Administrative Code.

Recommendations to board of trustees regarding amendment of rules, regulations and bylaws

3335-15-02 Power to promulgate rules and regulations.

Rules and regulations for the administration and operation of the university may be promulgated, amended, and repealed by the board of trustees upon its own initiative or upon the recommendation of the university faculty or the university senate.

3335-15-03 Authorization to recommend amendment or repeal of rules and regulations.

(A) The university faculty (either directly or through the university senate) is authorized to recommend through the president to the board of trustees the adoption of detailed rules and regulations for the university faculty. If adopted, these rules shall be called "Rules of the University Faculty" and shall be amended or repealed under the procedures outlined in the "Bylaws of the Board of Trustees."

(B) The university faculty (either directly or through the university senate) is also authorized to make recommendations through the president to the board of trustees concerning the promulgation, amendment or repeal of the other rules and regulations for the university.

3335-15-04 Authorization to recommend amendment or repeal of "Bylaws of the Board of Trustees."

The university faculty or the university senate is authorized to make recommendations through the president to the board of trustees concerning the amendment or repeal of the "Bylaws of the Board of Trustees."
3335-17-01 Administration members.

The twenty-six members from the administration shall consist of the university president, the executive vice president and provost, the senior vice president for business and finance, the vice president for research, the vice president for student life, the executive dean of the college of arts and sciences, the deans of the other thirteen colleges, the executive dean for the regional campuses, the dean of the graduate school, the dean for undergraduate education, the director of libraries, and the three divisional deans of the college of arts and sciences. (B/T 5/7/2004, B/T 5/6/2005, 2/11/2011)

Senate revision April 14, 2005

3335-17-02 Elections.

The faculty, professional student, graduate student, and undergraduate student members and alternates of the university senate shall be chosen in the manner prescribed by the appropriate constituency as defined in rule 3335-17-03 of the Administrative Code. All terms of service shall begin in the autumn quarter following election.

Senate revision September 29, 1984
Senate revision December 2, 1989

3335-17-03 Administration and supervision of elections.

The primary responsibility for administering and supervising senate elections shall reside with the faculty council, for the election of faculty members of the senate; council of graduate students, for the election of graduate student members; inter-professional council, for the election of professional student members; and undergraduate student government, for the election of undergraduate student members. Each group shall:

(A) Propose procedures and regulations for nominations and elections, consistent with these bylaws; the nomination procedure shall include the opportunity for direct nominations by an appropriate number of electors eligible to vote in an election for the office in question.

(B) Report the results of elections in its constituencies to the senate secretary for certification of senate members. Faculty election results are to be submitted by the tenth of April; other constituencies by the fifteenth of May.

(C) Take action to ensure that the time and manner of nominations and elections are well publicized so as to provide reasonable notice to those eligible to participate. Any notices referring to the university senate elections shall be conspicuously designated as such.

Senate revision June 2, 1979
Senate revision March 8, 1980
Senate revision December 2, 1989

3335-17-04 Apportionment of faculty members.

(A) Seventy faculty members shall be apportioned as follows: at least one to represent each of the following faculty constituencies:
College of food, agricultural, and environmental sciences  College of medicine
College of the arts  College of optometry
College of biological sciences  College of pharmacy
College of business, the Max M. Fisher College of social and behavioral sciences
College of dentistry  College of social work
College of education and human ecology  College of veterinary medicine
human ecology OSU Lima campus
College of engineering  OSU Mansfield campus
College of humanities  OSU Marion campus
The Michael E. Moritz college of law University libraries
college of law OSU Newark campus
college of law Departments of military science,
physical sciences naval science, and air force
physical sciences aerospace studies

(B) The other faculty members shall be apportioned among the faculty constituencies, such that no more than ten per cent of the total faculty membership of the senate shall be assigned to any one unit listed in paragraph (A) of this rule. The schedule for apportionment shall be reviewed annually and derived from the distribution of regular tenure-track faculty and shall be proposed by the executive committee of the faculty council and approved by the faculty council.

(C) For the purpose of voting in a senate election, the eligible faculty shall be regular tenure-track faculty such regular clinical track faculty as are authorized for senate service pursuant to rule 3335-7-11. They shall vote only in the election of members from the college or unit in which they hold their primary appoint. (B/T 6/4/2004, B/T 12/2/2005, B/T 7/7/2006, B/T 6/6/2008)

Senate revision December 3, 1983
Senate revision September 29, 1984
Senate revision December 2, 1989
Senate revision April 6, 1991
Senate revision April 6, 1996
Senate revision May 13, 2004

3335-17-05 Apportionment of graduate student members.

(A) Ten graduate student members shall be elected by the council of graduate students in accordance with its bylaws so as to ensure a diverse representation of graduate programs.

(B) For the purpose of voting for the graduate student delegation to the university senate, each graduate student elector shall be a delegate in the council of graduate students. (BOT 12/5/2003)

3335-17-06 Apportionment of professional student members.

(A) Five professional student members shall be elected by the inter-professional council senate in accordance with its bylaws so as to ensure a diverse representation of professional colleges.

(B) For the purpose of voting for the professional student delegation to the university senate, each professional student elector shall be a senator in the inter-professional council. (BOT 12/5/2003)
3335-17-07 Apportionment of undergraduate student members.

(A) Twenty-six undergraduate student members shall be elected by the undergraduate student government senate in accordance with its bylaws so as to ensure a diverse representation of student interests.

(B) For the purpose of voting for the undergraduate student delegation to the university senate, each undergraduate student elector shall be a senator in the undergraduate student government senate.

Senate revision October 25, 1980
Senate revision June 2, 1984
Senate revision December 1, 1990
Senate revision April 6, 1996
Senate revision March 6, 1999
Senate revision March 14, 2002
BOT approved December 5, 2003

3335-17-08 Qualifications for membership.

(A) To be eligible for service as members of the university senate:

(1) Faculty members shall be on the roster of the regular tenure-track faculty, or on the roster of a college or unit’s regular clinical track faculty who are authorized for senate service pursuant to rule 3335-7-11 of the Administrative Code, and available for senate service autumn, winter and spring quarters during their elected terms.

(2) Graduate, professional and undergraduate student members shall be in good standing and enrolled each quarter (except summer quarter) or semester.

(3) Faculty, professional and undergraduate student members shall, at all times including the time of election, be members of the constituency which they were elected to represent. The graduate student senators shall be deemed to represent all graduate students.

(B) No person shall represent one constituency while serving as a representative of another.

(C) The requirements for alternate members shall be the same as for members. (B/T 6/4/2004, B/T 6/6/2008)

Senate adoption June 4, 1977
Senate revision April 29, 1978
Senate revision February 9, 1980
Senate revision January 26, 1985
Senate revision May 13, 2004

3335-17-09 Amendments.

(A) The secretary of the university senate, with the concurrence of the rules committee, is entrusted to make non-substantive emendations in diction and grammar, and is authorized to change titles of administrative offices, administrative officers, academic units, or student constituent groups in these election bylaws following appropriate action on these title changes by the university senate or the board of trustees.

(B) Additional amendments to these election bylaws shall follow the procedures specified in rule 3335-5-43 of the Administrative Code.

Senate adoption March 8, 1986
Senate revision April 6, 1996
3335-19-01 Rules of order.

Unless otherwise indicated, all meetings of the senate (throughout these bylaws the word "senate" shall be taken to mean the university senate) shall be conducted in accordance with the latest revision of "Robert's Rules of Order." (prior effective dates: 3/13/1978, 7/30/2001, 8/1/2005)

3335-19-02 Meetings.

(A) Regular meetings of the senate shall be held during the autumn, winter, and spring quarters. In the spring quarter each year the steering committee shall recommend and the senate shall adopt and publish the schedule of regular meetings for the following academic year. This schedule shall include at least seven meetings spread over the academic year. Scheduled meetings may be cancelled by the program committee when deemed appropriate.

(B) Special meetings of the senate shall be scheduled upon:

(1) Majority vote of senate members present and voting at any meeting, or

(2) Call of the president of the university, or

(3) Call of the steering committee, or

(4) Petition signed by at least twenty-five regular voting members of the senate and presented to the secretary of the university senate.

(C) If the petition requesting a special meeting specifically requests a meeting at the earliest date and is transmitted with the necessary supporting material for distribution to the membership, then a special meeting shall be called within eight days of receipt of the petition by the secretary of the university senate.

(D) Written notice of the time and place of the meeting, the order of business, and copies of any substantive proposals shall be sent to all members and alternate members at least seven days prior to the senate meeting.

(E) At a time of emergency the president shall have authority to call a special meeting without written notice.

(F) All senate meetings shall be open to the public.

(prior effective dates: 2/19/1988, 7/30/2001, 7/30/2010)

3335-19-03 Agenda.

(A) Every meeting of the senate shall have an agenda. The agenda shall include the time and place of the meeting, order of business, and copies of any substantive proposals.

(B) The steering committee shall establish the agenda for all regular meetings. For this purpose, the steering committee

(1) Shall receive through the university senate office proposals for senate action or other presentations to the senate from any committee of the senate, or university committee or council, or member of the senate, or any member of the university community.
(2) Shall refer all substantive proposals for senate action to appropriate committees for review prior to entering them in an agenda, unless the proposal has been generated in such committee and has been so treated.

(3) Shall, as soon as practicable, include in the agenda of a regular meeting all items submitted by any committee of the senate, or university committee or council, or member of the senate.

(4) Shall set the agenda so that the scheduled business can be disposed of in a meeting of reasonable duration.

(5) Shall include with each agenda an estimate of the time necessary to complete the regularly scheduled business of the senate.

(6) May advise the senate of the apparent need for a special meeting.

In special meetings, the specific purpose set by the initiators of the special meetings shall take precedence over all others. Additional agenda items established by the steering committee may follow if time permits.

(C) The secretary of the university senate shall send and make available electronically copies of the agenda for all senate meetings to all members and alternate members at least seven days prior to the meeting. (prior effective dates: 3/13/1978, 11/28/1983, 2/19/1988, 1/7/2001, 7/30/2010)

3335-19-04 Order of business.

(A) The order of business for all meetings shall be as set forth in the agenda, except that the order of business and allocation of time may be altered by an action approved in the meeting. Upon completion of the business described in the agenda, the regular meetings shall proceed in the following order:

(1) Unfinished business

(2) New business

(3) Comments and announcements

(4) Adjournment

(B) A special meeting shall be limited to the purposes stated in its agenda. (prior effective dates: 3/13/1978)

3335-19-05 Floor privileges.

Proposals, measures, and resolutions shall be introduced on the senate floor by members of the senate only. Members of the university community who are not members of the senate may be granted the right to speak, but not to vote, on matters before the senate. When a request is made for this privilege, the chair shall ask the senate for objections and, hearing none, shall grant permission to speak. If objections are raised, the privilege shall be extended only by an action of the senate. (prior effective dates: 3/13/1978)

3335-19-06 Quorum and voting.

(A) A simple majority of the voting membership of the senate shall constitute a quorum for the conduct of the senate’s business. The same quorum, a simple majority, shall be required of each committee of the senate.
(B) Action by the senate shall be by a majority of members present and voting and shall normally be by voice vote, except as otherwise required by these rules or by the latest revision of "Robert's Rules of Order."

(C) When a division of the senate is taken, the chair shall include the division when announcing the results. (prior effective dates: 3/13/1978, 5/25/1991, 8/1/2005)

3335-19-07 Proposals for senate action.

(A) Proposals for senate action shall be classified as either routine or substantive, and treated accordingly.

(B) Routine proposals are those that do not establish or alter university policies, such as approval of the minutes or acceptance of reports or appointment of committee personnel, and include the call of a special meeting. Such proposals may be introduced and acted upon in any meeting, subject only to the test of germaneness.

(C) Substantive proposals are those that establish or alter an academic program of study, or rules or bylaws within the senate's purview. Substantive proposals shall be:

(1) Submitted to the university senate office in the complete and exact form intended for senate debate and adoption, and shall be processed by the steering committee following rule 3335-19-03 of the Administrative Code, except that proposals for presentation at a special meeting need not be submitted to the steering committee. If a substantive proposal is referred to a committee by the steering committee or by the senate, and any subsequent suggested changes are not acceptable to the originators of the proposal, then the steering committee shall place the original proposal and the suggested changes in the same agenda.

(2) Sent to all members and alternate members of the senate as part of the agenda at least seven days prior to the meeting.

(3) Moved and seconded by members of the senate and then opened for floor debate. The proposal may then be amended, referred to committee in whole or in part, tabled, postponed, divided, and/or adopted or rejected.

(a) Amendments offered in floor debate are classified as minor or substantive. A substantive amendment alters the sense or strength of the original proposal. Determination of the status of an amendment is made by ruling of the chair or by vote of the senate. Classification may be made at the time a motion to amend has been made and seconded or after the senate has voted affirmatively in favor of the motion to amend.

(b) If a motion from the floor is passed and is declared to be substantive, it cannot become effective until the next meeting of the senate. At that time it must be reconsidered, unless the committee which submitted the original proposal has requested a continuation from the steering committee. In case of a continuation, the steering committee shall, as soon as practicable, place the amendment on the agenda for reconsideration. The committee which submitted the original proposal shall be afforded the opportunity to present arguments against the amendment or to move substitute language for the amendment at the time of reconsideration. If substitute language is approved by the senate, the amendment as modified will become effective at that time. If substitute language is defeated or is not presented, the senate shall vote on reaffirmation of the amendment in the form originally passed except for possible changes of a purely editorial nature. The amendment...
may be reaffirmed and become effective at that time or it may be defeated. (This section may be set aside by a successful motion to suspend the bylaws of the senate as prescribed in paragraph (C) of rule 3335-19-13 of the Administrative Code.)

(D) Substitute statements or suggested amendments which are included in an original proposal and distributed in an agenda shall each be acted upon as a substantive proposal.

(E) Substitute statements or suggested amendments proposed by any senate or university committee or by any member of the senate, shall be received by the steering committee and shall be scheduled in the same agenda as the original proposal.

(F) Prior to a senate vote a proposal that establishes or alters rules or bylaws within the senate's purview shall be reviewed by the rules committee, which may recommend changes in accordance with paragraph (B)(4) of rule 3335-5-47.3 of the Administrative Code. (prior effective dates: 3/13/1978, 2/6/1983, 1/15/1987, 5/3/1987, 7/30/2001, 7/30/2010)

3335-19-08 Reports.

(A) Any member(s) of any committee of the senate may report on any matter before the committee. A report by a minority of one may be denied a hearing by vote of two-thirds of the members of the senate present. A majority of the members of the senate present and voting may require a standing committee to report at the next regular meeting of the senate.

(B) Written notification of intent to present a report shall be submitted to the university senate office at least twelve days preceding the senate meeting. The steering committee shall decide whether a written report is required to be included with the senate agenda mailing.

(C) Reports on which no senate action other than acceptance is requested, may be distributed with the agenda and presented by the secretary of the university senate by reporting the title, source, and date of receipt. If an oral presentation of a written report is to be made at the senate meeting, such oral presentation shall be limited to a short summary of the written report and to responses to questions concerning the report from members of the senate.

(D) Reports for which written versions are not required by the steering committee may be included on the senate agenda. The secretary of the university senate shall be provided with a written synopsis when the report is presented. (prior effective dates: 3/13/1978, 11/28/1983, 7/30/2010)

3335-19-09 Office of the university senate.

There shall be a permanent office of the university senate, administered by the secretary of the university senate, to facilitate the orderly conduct of the meetings of the senate and the work of the committees of the senate. The office shall also be responsible for maintaining liaison between the senate and university committees. The staff shall consist of the secretary of the university senate and at least one full-time recording secretary. (prior effective date: 3/13/1978)

3335-19-10 Attendance.

Members of the senate shall attempt to avoid conflicts between their academic schedule and the meetings of the senate and related committees. In the event of unavoidable conflict, it is expected the members will choose that resolution most favorable to their academic obligations. All members are expected to arrange for attendance by an alternate member at those senate meetings the member is unable to attend.
A committee member who misses all committee meetings in a quarter may be removed by the committee chair and replaced, as appropriate, by an appointment made by the executive committee of faculty council, student leadership, the office of the president, or other relevant appointing body. Any mitigating circumstances should be reported to the committee chair and the chair should keep and report attendance records to the university senate office and the senate constituencies. (prior effective date: 3/13/1978, B/T 2/11/2011)

3335-19-11 Minutes and reports of senate meetings.

(A) Official minutes of the senate meetings shall be taken and kept by the secretary of the university senate. A secretary's report of action taken at each meeting of the senate shall be sent to all members and alternate members after each meeting, and approved by senate action in a subsequent meeting.

(B) The official record and minutes of all senate meetings shall be those "Secretary's Reports on Actions of the Senate," together with the appropriate supporting and reference documents, as have been submitted to and accepted by the senate. The secretary shall also have taken and have preserved, for reference purposes, verbatim electronic sound recordings of all proceedings in senate meetings. (prior effective dates: 3/13/1978, 11/28/1983, 2/19/1988)

3335-19-12 Transmittal and record of senate actions.

(A) The secretary of the university senate shall transmit the results of senate actions to the president, board of trustees, and other appropriate agencies.

(B) The secretary shall maintain and periodically communicate to the members and alternate members of the senate and to the university faculty a record of those actions of the senate having continuing effect, and not published in the "Rules of the University Faculty."

(1) At least once each year the secretary shall send a summary of such actions to all members and alternate members of the senate.

(2) A permanent record of such actions shall be maintained in the office of the university senate. This record shall be available for review by any member of the university community. (prior effective dates: 3/13/1978, 2/6/1983, 11/28/1983, 7/4/1987)

3335-19-13 Amendments and suspensions.

(A) These bylaws may be amended as provided for in rule 3335-5-45 of the Administrative Code. Such proposals shall be substantive proposals (Rule 3335-19-07 of the Administrative Code) and shall be introduced in the agenda of a regular or special meeting.

(B) The secretary of the university senate, with the concurrence of the rules committee, is entrusted to make non-substantive emendations in diction and grammar, and is authorized to change titles of administrative offices, administrative officers, academic units, or student constituent groups in these bylaws following appropriate action on these title changes by the senate or the board of trustees.

(C) These bylaws may be suspended for a single and designated purpose. A proposal to suspend a provision of the bylaws may be introduced and acted upon in the same meeting, as a routine proposal, provided that the suspension shall be germane to only one specific proposal, and the suspension is affirmed by a two-thirds vote. (prior effective dates: 3/13/1978, 4/27/1986, 8/5/1996)
Chapter 3335-23
CODE OF STUDENT CONDUCT

3335-23-01 Introduction and purpose.

The code of student conduct is established to foster and protect the core missions of the university, to foster the scholarly and civic development of the university's students in a safe and secure learning environment, and to protect the people, properties and processes that support the university and its missions. The core missions of the university are research, teaching and learning, and service. Preservation of academic freedom and free and open exchange of ideas and opinions for all members of the university are central to these missions.

3335-23-02 Jurisdiction.

The code applies to the on-campus conduct of all students and registered student organizations. The code also applies to the off-campus conduct of students and registered student organizations in direct connection with:

(A) Academic course requirements or any credit bearing experiences, such as internships, field trips, study abroad or student teaching;

(B) Any activity supporting pursuit of a degree, such as research at another institution or a professional practice assignment;

(C) Any activity sponsored, conducted, or authorized by the university or by registered student organizations;

(D) Any activity that causes substantial destruction of property belonging to the university or members of the university community or causes serious harm to the health or safety of members of the university community; or

(E) Any activity in which a police report has been filed, a summons or indictment has been issued, or an arrest has occurred for a crime of violence.

The code governs all campuses of the university, however, students attending at regional campuses and the agricultural technical institute are advised to consult their local campus publications for additional information or rules pertaining to those campuses, which may create hearing boards or processes for the campus, consistent with these rules.

The university reserves the right to administer the code and proceed with the hearing process even if the student withdraws from the university, is no longer enrolled in classes, or subsequently fails to meet the definition of a student while a disciplinary matter is pending.

Students continue to be subject to city, state, and federal laws while at the university, and violations of those laws may also constitute violations of the code. In such instances, the university may proceed with university disciplinary action under the code independently of any criminal proceeding involving the same conduct and may impose sanctions for violation of the code even if such criminal proceeding is not yet resolved or is resolved in the student's favor. (B/T 3/2/2001, B/T 12/7/2007)

3335-23-03 Definitions.

As used in the code, the term "university premises" means all lands, buildings, and facilities owned, leased, or operated by the university. The term "student" means an individual who has paid an acceptance fee, registered for classes, or otherwise entered into any other contractual relationship with the university to take instruction. It further includes persons who are eligible to
receive any of the rights and privileges afforded a person who is enrolled at the university, including, but not limited to, those individuals admitted to the university and attending orientation programs. Student status lasts until an individual graduates, is dismissed, or is not in attendance for two complete, consecutive quarters. The term "student" also includes registered student organizations. The term "members of the university community" includes, but is not limited to, students, faculty, staff, and visitors to the campus. The term "complaint" means a written statement, alleging a violation of the code of student conduct or other published rule applicable to students at the university, provided to an authorized university official, per paragraph (A) of rule 3335-23-05 of the Administrative Code. Information submitted by other means will be reviewed and may, at the university's discretion, be acted upon but will not be treated as a formal complaint. The term "crime of violence" means the following offenses as stated in division (A)(9) of section 2921.01 of the Revised Code in effect on the date this rule is adopted: aggravated murder; murder; voluntary manslaughter; involuntary manslaughter; felonious assault; aggravated assault; assault; aggravated menacing; menacing by stalking; kidnapping; abduction; extortion; rape; sexual battery; gross sexual imposition; aggravated arson; arson; aggravated robbery; robbery; aggravated burglary; inciting to violence; aggravated riot; inducing panic; domestic violence; intimidation; intimidation of an attorney, victim, or witness in a criminal case; escape; improperly discharging a firearm at or into a habitation or school; burglary; felonious sexual penetration; or conspiracy or attempt to commit or complicity in committing any of the foregoing offenses. Crime of violence also means offenses under the laws of another jurisdiction that are substantially equivalent to the offenses listed in this division. (B/T 3/2/2001, B/T 12/7/2007)

3335-23-04 Prohibited conduct.

Any student found to have engaged, or attempted to engage, in the following conduct while within the university's jurisdiction, as set forth in rule 3335-23-02 of the Administrative Code, will be subject to disciplinary action by the university. For the purposes of this section, attempt shall be defined as conduct that, if successful, would constitute or result in the prohibited conduct. Any student who abandons an attempt or prevents the prohibited conduct from occurring under circumstances that demonstrate a complete and voluntary renunciation of the prohibited conduct will not be subject to disciplinary action by the university.

(A) Academic misconduct.

Any activity that tends to compromise the academic integrity of the university, or subvert the educational process. Examples of academic misconduct include, but are not limited to:

(1) Violation of course rules as contained in the course syllabus or other information provided to the student; violation of program regulations as established by departmental committees and made available to students;

(2) Knowingly providing or receiving information during examinations such as course examinations and candidacy examinations; or the possession and/or use of unauthorized materials during those examinations;

(3) Knowingly providing or using assistance in the laboratory, on field work, in scholarship or on a course assignment;

(4) Submitting plagiarized work for an academic requirement. Plagiarism is the representation of another's work or ideas as one's own; it includes the unacknowledged word-for-word use and/or paraphrasing of another person's work, and/or the inappropriate unacknowledged use of another person's ideas;

(5) Submitting substantially the same work to satisfy requirements for one course or academic requirement that has been submitted in satisfaction of requirements for another course or academic requirement, without permission of the instructor of the course for which the work is being submitted or supervising authority for the academic requirement;
(6) Falsification, fabrication, or dishonesty in creating or reporting laboratory results, research results, and/or any other assignment;

(7) Serving as, or enlisting the assistance of a substitute for a student in the taking of examinations;

(8) Alteration of grades or marks by the student in an effort to change the earned grade or credit;

(9) Alteration of academically-related university forms or records, or unauthorized use of those forms or records; and

(10) Engaging in activities that unfairly place other students at a disadvantage, such as taking, hiding or altering resource material, or manipulating a grading system.

(B) Endangering health or safety.

(1) Endangering behavior: Taking or threatening action that endangers the safety, physical or mental health, or life of any person, or creates a reasonable fear of such action, whether intentionally or as a result of recklessness or gross negligence.

(2) Stalking: Engaging in a pattern of unwanted conduct directed at another person that threatens or endangers the safety, physical or mental health, or life or property of that person, or creates a reasonable fear of such a threat or action.

(C) Sexual misconduct.

Physical contact or other non-physical conduct of a sexual nature in the absence of clear, knowing and voluntary consent, including but not limited to:

(1) Non-consensual sexual intercourse, defined as any sexual penetration (anal, oral, or vaginal), however slight, with any body part or object, by any person upon any person without consent.

(2) Non-consensual sexual contact, defined as any intentional sexual touching, with any body part or object, by any person upon any person without consent.

(3) Sexual exploitation, defined as taking non-consensual, unjust or abusive sexual advantage of another. Examples include, but are not limited to, prostituting another student, non-consensual video or audio-taping of sexual activity, going beyond the boundaries of consent (such as knowingly allowing another to surreptitiously watch otherwise consensual sexual activity), engaging in non-consensual voyeurism, and knowingly transmitting or exposing an STD or HIV to another student without the knowledge of the student.

(4) Sexual harassment, as defined in applicable university policy.

(5) Indecent exposure, defined as the exposure of the private or intimate parts of the body, in a lewd manner, in public or in private premises, when the accused may be readily observed.

For the purposes of this rule, consent shall be defined as the act of knowingly and voluntarily agreeing verbally or non-verbally to engage in sexual activity. An individual cannot consent who is obviously substantially impaired by any drug or intoxicant; or who has been purposely compelled by force, threat of force, or deception; or who is unaware that the act is being committed; or whose ability to consent or resist is obviously impaired because of a mental or physical condition; or who is coerced by supervisory or disciplinary authority.
(D) Destruction of property.

Actual or threatened damage to or destruction of university property or property of others, whether done intentionally or with reckless disregard.

(E) Dangerous weapons or devices.

Use, storage, or possession of dangerous weapons or devices including, but not limited to, firearms, ammunition or fireworks, unless authorized by an appropriate university official or permitted by a university policy, even if otherwise permitted by law.

(F) Dishonest conduct.

Dishonest conduct, including, but not limited to, knowingly reporting a false emergency; knowingly making false accusation of misconduct; misuse or falsification of university documents by actions such as forgery, alteration, or improper transfer; submission to a university official of information known by the submitter to be false.

(G) Theft/unauthorized use of property.

Theft or attempted theft, or the unauthorized use or possession of university property or services, or the property of others.

(H) Failure to comply with university or civil authority.

Failure to comply with legitimate directives of authorized university officials, law enforcement or emergency personnel, identified as such, in the performance of their duties, including failure to identify oneself when so requested; or violation of the terms of a disciplinary sanction.

(I) Drugs.

Use, production, distribution, sale, or possession of drugs in a manner prohibited under law.

(J) Alcohol.

Use, production, distribution, sale, or possession of alcohol in a manner prohibited under law or applicable university policy.

(K) Unauthorized presence.

Unauthorized entrance to or presence in or on university premises.

(L) Disorderly or disruptive conduct.

Disorderly or disruptive conduct that unreasonably interferes with university activities or with the legitimate activities of any member of the university community.

(M) Hazing.

Doing, requiring or encouraging any act, whether or not the act is voluntarily agreed upon, in conjunction with initiation or continued membership or participation in any group, that causes or creates a substantial risk of causing mental or physical harm or humiliation. Such acts may include, but are not limited to, use of alcohol, creation of excessive fatigue, and paddling, punching or kicking in any form.

(N) Judicial system abuse.
Abuse of any university judicial system, including but not limited to:

(1) Failure to obey the summons or directives of a judicial body or university official;
(2) Falsification, distortion, or misrepresentation of information before a judicial body;
(3) Disruption or interference with the orderly conduct of a judicial proceeding;
(4) Institution of a judicial proceeding knowingly without cause;
(5) Attempting to discourage an individual’s proper participation in, or use of, a university judicial system;
(6) Attempting to influence the impartiality of a member of a judicial body prior to, and/or during the course of a judicial proceeding;
(7) Harassment (verbal or physical) and/or intimidation of a member of a judicial body prior to, during, and/or after a judicial proceeding;
(8) Failure to comply with one or more sanctions imposed under the code of student conduct; and
(9) Influencing or attempting to influence another person to commit an abuse of a university judicial system.

(O) Violation of university rules.

Violation of other published university regulations, policies, or rules, or violations of federal, state, or local law. These university regulations, policies, or rules include, but are not limited to, those which prohibit the misuse of computing resources, sexual harassment, rules for student groups or organizations, and residence hall rules and regulations.

(P) Riotous behavior.

(1) Participation in a disturbance with the purpose to commit or incite any action that presents a clear and present danger to others, causes physical harm to others, or damages property.
(2) Proscribed behavior in the context of a riot includes, but is not limited to:

   (a) Knowingly engaging in conduct designed to incite another to engage in riotous behavior; and
   (b) Actual or threatened damage to or destruction of university property or property of others, whether done intentionally or with reckless disregard; and
   (c) Failing to comply with a directive to disperse by university officials, law enforcement or emergency personnel; and
   (d) Intimidating, impeding, hindering or obstructing a university official, law enforcement or emergency personnel in the performance of their duties.

(3) This rule shall not be interpreted as proscribing peaceful demonstrations, peaceful picketing, a call for a peaceful boycott, or other forms of peaceful dissent.

(Q) Recording of images without knowledge.

Using electronic or other means to make a video or photographic record of any person in a location where there is a reasonable expectation of privacy without the person’s prior
knowledge, when such a recording is likely to cause injury, distress, or damage to reputation. This includes, but is not limited to, taking video or photographic images in shower/locker rooms, residence hall rooms, and restrooms. The storing, sharing, and/or distributing of such unauthorized records by any means is also prohibited. (B/T 3/2/2001, B/T 7/11/2003, B/T 7/7/2006, B/T 12/7/2007)

JUDICIAL PROCEDURES

3335-23-05 Initiation and investigation of code violations.

(A) Initiation.

Person(s) witnessing or experiencing what they believe to be a possible code violation should provide an authorized university official with the information. Information and/or complaints about possible code violations occurring in residence halls should be provided to the residence hall director. Information and/or complaints about possible non-residence hall related code violations should be provided to the director of student judicial affairs, or chief judicial officer for the regional campuses. Information and/or complaints regarding academic misconduct should be referred to the coordinator of the committee on academic misconduct. In cases where the alleged activity may involve a violation of criminal law in addition to a violation of the code, information and/or complaints should be provided to the Ohio state university police or other appropriate law enforcement agency. The university will review all information and/or complaints received and may conduct a preliminary investigation of the alleged violation.

(B) Investigation.

The Ohio state university police or other appropriate law enforcement agency shall have primary responsibility for the investigation of acts that involve suspected violation of federal, state, local laws or applicable university policies. Residence hall directors, assistant hall directors, the director of student judicial affairs, the chief judicial officer for the regional campuses, and other designated university personnel are authorized to investigate alleged violations other than those involving academic misconduct. The coordinator of the committee on academic misconduct is authorized to investigate allegations involving academic misconduct. During the investigation, the student allegedly involved in misconduct may be sent a letter describing the alleged violation, requesting the student to make an appointment to discuss the matter, and specifying a date by which the appointment must be made. Any person believed to have information relevant to an investigation may also be contacted and requested to make an appointment to discuss the matter. Failure to comply with such a request to make and keep such an appointment may result in a disciplinary hold being placed on a student’s registration and records and/or the initiation of charges for judicial system abuse. Upon completion of an investigation, the investigator will decide upon an appropriate course of action, which may include, but is not limited to, taking no further action, deferring further action with or without conditions, or initiating charges with the appropriate university judicial body. (B/T 3/2/2001, B/T 12/7/2007)

3335-23-06 Filing of complaint and initiation of charges.

A written complaint alleging a violation of the code of student conduct must be filed with the university as soon as practicable following the discovery of the alleged violation. Absent extraordinary circumstances, the written complaint must be filed within six months for cases of non-academic misconduct (paragraphs (B) through (Q) of rule 3335-23-04 of the Administrative Code), and one month for academic misconduct (paragraph (A) of rule 3335-23-04 of the Administrative Code), from the date upon which a university official becomes aware of the alleged violation and identifies the student(s) who allegedly committed the violation. Absent extraordinary circumstances, the university must initiate charges, if any, within one year of the filing of the complaint. (B/T 3/2/2001, B/T 12/7/2007)
3335-23-07 Notice of charges.

Students shall be notified of university charges in writing, unless a more effective form of notification is deemed appropriate. Charges may be presented in person, by placement in a student’s residence hall mailbox, by email to the accused student’s official university email address, which will direct the student to view the notice on a secure website, or by mail to the accused student’s local or permanent address on file in the office of the university registrar. All students are required to maintain an accurate and current local and permanent address with the university registrar.

Following notification of charges, students are strongly encouraged to and shall be afforded the opportunity to meet with a university official for the purpose of explaining the university judicial process and discussion of the charges. Failure of the accused student to respond to the initiation of charges or schedule a preliminary meeting shall in no way prevent the university from scheduling and conducting a hearing in the absence of the accused student. (B/T 3/2/2001, B/T 12/7/2007)

3335-23-08 Administrative decision.

In all cases, a student charged with one or more violations of the student code has the right to a hearing. However, in a case where a charged student admits such violations in writing, the student may request in writing to have a decision as to appropriate action made administratively by a hearing officer rather than have the charges referred to a hearing officer, panel or board for a hearing. In such situations, the student waives the right to a hearing and the related procedural guarantees provided by a hearing officer, panel or board hearing. Administrative decisions involving graduate students are to be made in consultation with the graduate school. Following an administrative decision, the student retains the right to request an appeal of the original decision, but may do so only upon the ground that the sanction is grossly disproportionate to the offense committed. (B/T 3/2/2001, B/T 7/7/2006, 12/7/2007)

3335-23-09 Notice of hearing.

If a hearing is to be held, written notification will be provided. The notice may be hand delivered, placed into a student’s residence hall mailbox, sent by email to the accused student’s official university email address, which will direct the student to view the notice on a secure website, or mailed to the last known address of the student, either by certified mail or first class mail, no fewer than ten calendar days prior to the hearing. Unless already provided to the student, the notification will include the charges, date, time, and location of the hearing, the designated hearing officer or panel, a statement of the student’s rights, and information on the hearing procedures. The accused student may request a postponement for reasonable cause or a hearing separate from other accused persons. A request for a postponement for reasonable cause must be made in writing, include supporting rationale and be received by the person sending the hearing notification at least two business days before the scheduled hearing. (B/T 3/2/2001, B/T 12/7/2007)

3335-23-10 Hearing procedures.

Although the procedural requirements are not as formal as those existing in criminal or civil courts of law, to ensure fairness, the following procedures will apply and, unless already provided to the student, be included within the hearing notice:

(A) Attendance at hearings is limited to those directly involved or those requested by the hearing officer or panel to attend. The hearing officer or panel will take reasonable measures to assure an orderly hearing, including removal of persons who impede or disrupt proceedings.

(B) The accused student may have an advisor throughout the hearing. The advisor may only counsel the student and may not actively participate in the hearing, unless clarification is needed as determined by the hearing officer or panel.
(C) The accused may submit a written statement, may invite relevant fact witnesses to attend, may invite character witnesses to submit written statements, may as approved in advance by the hearing officer invite character witnesses to testify in person, may ask questions of witnesses called by others, and will be notified of potential witnesses to be called. The accused must also submit a list of potential witnesses, and identify those who are character witnesses only, to the hearing officer at least two business days prior to the hearing. The university may present witnesses as well as question those presented by the accused.

(D) Written statements may be used for a fact witness (i.e., not a character witness) if, for good reason, a fact witness cannot attend the hearing.

(E) In cases requiring special expertise, the panel coordinator may appoint individuals with appropriate expertise to serve as consultants to the panel. The consultants may be present and provide information as called upon during the hearing but will not vote.

(F) Students are entitled to a presumption of innocence. Therefore, a student will not be found in violation unless a preponderance of evidence supports the charge(s). In the event of a tie, the panel will continue to deliberate. If after the panel determines that exhaustive deliberations have occurred and a majority decision is not reached the student will be found not in violation.

(G) In cases where prompt review is essential (e.g., when graduation or the end of the academic year is imminent) the accused may be offered the option of an expedited administrative review consisting of an administrative decision or administrative hearing. The accused student may decline such expedited review without the expectation that the process can be completed on an expedited timeline. (B/T 3/2/2001, B/T 7/11/2003, B/T 12/7/2007)

3335-23-11 Attendance.

Because the most accurate and fair review of the facts can best be accomplished when all parties are present, the accused is expected to attend and participate. If an individual does not choose to attend a hearing, the charges will be reviewed as scheduled on the basis of the information available, and a decision will be made. Although no inference may be drawn against a student for failing to attend a hearing or remaining silent, the hearing will proceed and the conclusion will be based on the evidence presented. No decision shall be based solely on the failure of the accused student to attend the hearing or answer the charges. (B/T 3/2/2001)

3335-23-12 Record of proceedings.

A single record consisting of written notes, tape recording, or other method selected by the hearing panel or officer, will be made of all hearings. Such record will remain the property of the university but will be made available to the accused for review during the appeal period. A written notice of the decision and, if found in violation, information regarding appeal procedures will be provided to the accused student. (B/T 3/2/2001)

3335-23-13 Hearing bodies.

In addition to the committee on academic misconduct, student conduct boards for university housing, and the university judicial panel, the director of student judicial affairs, hearing officers within the office of student judicial affairs, the coordinator of the committee on academic misconduct, and university housing professional staff are to be considered as official university hearing officers, and may hear cases of alleged violations of the code affording accused students the same procedural guarantees as provided in hearings by a panel, committee, or board. Absent special circumstances, students will be afforded the right to choose an administrative or panel hearing. When necessary to ensure a fair and just process, the hearing officer may determine the appropriate hearing venue. The accused student has the right to accept responsibility for the charges, which will result in an administrative decision, or choose to have a
Students will generally be afforded the right to choose an administrative or panel hearing, except under special circumstances where, in order to ensure a fair and just process, the hearing officer may determine the appropriate hearing venue. (B/T 3/2/2001, B/T 12/7/2007)

3335-23-14 Committee on academic misconduct.

(A) The coordinator for the committee shall investigate or establish procedures for investigation of all reported cases of student academic misconduct that fall under the committee’s jurisdiction. The committee does not hear cases involving academic misconduct in professional colleges having a published honor code. These colleges shall follow their own codes and procedures which can be obtained in their respective central offices. Some allegations against graduate students that fall under the committee’s jurisdiction may also implicate the university’s interim policy and procedures concerning misconduct in research or scholarly activities and/or the graduate school’s “Guidelines for the Review and Investigation of Allegations of Scholarly Misconduct by Graduate Students.” Upon receipt of such an allegation, the coordinator shall meet with the dean of the graduate school or designee, and/or the senior vice president for research or designee, and these parties shall mutually agree on the appropriate procedure for adjudicating the case. Notice of this decision and a description of the procedure to be used shall promptly be given to the student who has been charged. The coordinator or committee may refer complaints to the office of student judicial affairs if it is determined that the academic misconduct allegation is incidental to some other misconduct.

(B) The committee on academic misconduct is constituted according to rule 3335-5-48.7 of the Administrative Code.

(C) All complaints of academic misconduct shall be reported to the coordinator of the committee.

(D) Students have an obligation to report suspected misconduct.

(E) A quorum for a hearing shall be no fewer than four voting members of the committee which shall include no fewer than one student member and two faculty members.

For cases involving graduate students, reasonable efforts will be made to have graduate students serve as the student members of the hearing committee. (B/T 3/2/2001, B/T 7/7/2006)

3335-23-15 Student conduct boards for university housing.

The boards may only hear only those cases that occur within university housing, whether committed by residents or nonresidents. The boards are composed of students living in university housing, and may initiate any sanction with the exception of suspension or dismissal. If it appears during the hearing, to the board or to the board advisor, that the violation may be serious enough to warrant suspension or dismissal, the board will adjourn and refer the case back to the hearing officer for referral to the office of student judicial affairs. (B/T 3/2/2001, B/T 12/7/2007)

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 for three-year terms which begin with the autumn quarter;
(B) Twelve undergraduate student members, appointed by the undergraduate student government;

(C) Six graduate student members, appointed by the council of graduate students;

(D) Two professional student members, appointed by the inter-professional council; and

(E) The director of student judicial affairs or designee shall serve as panel coordinator ex-officio without vote.

(F) A quorum for a hearing shall be no fewer than four voting members of the panel which shall include no fewer than two student members.

All student appointments shall be for two-year terms staggered, beginning in the autumn quarter. Six of the undergraduate student members, three of the graduate student members, and one of the professional student members shall be appointed in odd-numbered years, with the remainder appointed in even-numbered years. To be eligible for appointment, a student must possess a minimum 2.5 cumulative grade point average and be under no current disciplinary sanction from the university. The director of student judicial affairs may remove university judicial panel members for cause, including but not limited to, not attending training, repeated absences, violating the code of student conduct or other applicable laws or policies, or not responding to repeated attempts at communication. Notification shall be made in writing to the university judicial panel member prior to removal, whenever possible. (B/T 3/2/2001, B/T 12/7/2007)

UNIVERSITY SANCTIONS

3335-23-17 General guidelines for sanctions.

Sanctions should be commensurate with the violation(s) found to have occurred. In determining the sanction(s) to be imposed, the hearing officer or panel should take into account any mitigating circumstances and any aggravating factors including, but not limited to, any provocation by the subject of the conduct that constituted the violation, any past misconduct by the student, any failure of the student to comply fully with previous sanctions, the actual and potential harm caused by the violation, the degree of intent and motivation of the student in committing the violation, and the severity and pervasiveness of the conduct that constituted the violation. Misconduct, other than constitutionally protected expression, motivated by bias based on age, color, disability, gender identity or expression, national origin, race, religion, sex, sexual orientation, or veteran status may be considered an aggravating factor for sanctioning. Impairment resulting from voluntary use of alcohol or drugs (i.e., other than medically necessary) will also be considered an aggravating, and not a mitigating, factor. In determining the sanctions to be imposed on graduate students who have violated the code, the hearing officer or panel should be guided by the “Graduate Student Code of Research and Scholarly Conduct.” One or more of the following courses of action may be taken when a student has been found to have violated the code of student conduct.

(A) Informal admonition.

An oral or written admonition issued by a hearing officer or residence hall advisor resulting from the student's misconduct. No formal charges, hearing or other compliance with the code is required before the issuance of an informal admonition. However, following issuance of an informal admonition, the student shall be entitled to a hearing upon written request, under the procedures provided in the code of student conduct. A written request for such a hearing must be filed with the university official who administered the informal admonition, within five working days of the student’s receipt of the informal admonition. An informal admonition shall not be considered a disciplinary sanction, but may be considered in any subsequent hearings.

(B) Disciplinary sanctions.
(1) Formal reprimand.

A written letter of reprimand resulting from a student’s misconduct.

(2) Disciplinary probation.

This probationary condition is in effect for a specified period of time and may involve the loss of specified privileges. Further violation of university policies during the probationary period will be viewed not only as a violation based upon the act itself but also as a violation of the probation, which shall result in further action up to and including suspension or dismissal.

(3) Suspension.

Suspension is a sanction that terminates the student’s enrollment at the university for a specified period of time. Satisfactory completion of specified stipulations may be required for readmission at the end of the suspension period.

(4) Dismissal.

Dismissal is a sanction which permanently separates a student from the university without opportunity to re-enroll in the future.

(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 life or designee. To seek such permission, a suspended or dismissed student must file a written petition to the vice president for student life for entrance to the campus for a limited, specified purpose or to have the terms of this condition modified or reduced.

(D) Failing or lowered grades.

In cases of academic misconduct, a hearing officer or panel may authorize the instructor to award a failing or lowered grade in the course, a loss of credit on the assignment or examination, and impose any of the above-listed sanctions including suspension or dismissal from the university.

(E) Other sanctions.

Other appropriate sanctions may be imposed by a hearing officer or panel singularly or in combination with any of the above-listed sanctions. Examples include, but are not limited to, making restitution for property damage or misappropriation of university property or services, or the property of any person, residence hall contract termination or reassignment to another room, restriction of access to specified campus facilities and/or property, research assignments, community service projects, special workshop participation, and/or referral to medical resources or counseling personnel. (B/T 3/2/2001, B/T 7/7/2006, B/T 12/7/2007, 5/14/2010)

APPEAL PROCESS

3335-23-18 Appellate process.

(A) Right to appeal.
A student found to have violated this code has the right to appeal the original decision. An appeal of a decision must be submitted in writing and postmarked or hand delivered to the appropriate appeal officer, as provided below, within ten calendar days after the date on which written notice of the decision is sent to the student. Each student shall be limited to one appeal. The decision of the appeal officer is final.

(B) Grounds for appeal.

An appeal may be based only upon one or more of the following grounds:

(1) Procedural error;

(2) Misapplication or misinterpretation of the rule alleged to have been violated;

(3) Findings of facts not supported by a preponderance of evidence.

(4) Discovery of substantial new facts that were unavailable at the time of the hearing; and

(5) That the disciplinary sanction imposed is grossly disproportionate to the violation committed.

(C) Appropriate appeal officers.

(1) Appeals from residence hall hearings:

   (a) All appeals from residence hall hearings other than contract terminations, shall be submitted to the director of residence life or designee.

   (b) All appeals where the sanction imposed by the residence hall hearing is contract termination shall be submitted to the director of student judicial affairs or designee.

(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 life or designee.

(3) Appeals from decisions of the coordinator of academic misconduct or the committee on academic misconduct will be submitted for decision to the executive vice president and provost or designee.

(D) Appeal proceedings.

(1) The appeal officer shall dismiss the appeal if the appeal is not based upon one or more of the grounds set forth in paragraph (B) of this rule.

(2) The appeal officer may decide the appeal based upon a review of the record.

(3) The appeal officer may request additional written information or an oral presentation from any relevant person(s) and then decide the appeal based upon the enhanced record.

(E) Possible dispositions by the appeal officer.

The appeal officer may, after a review of the record, uphold the original sanction, dismiss the original sanction, or impose a lesser sanction. An appeal officer may also remand the case to the original hearing body or refer the case to a new hearing officer or panel to be reheard. If possible, a new hearing officer or panel should be different from the one that originally decided the case. If a case is reheard by a hearing officer or panel, the sanction imposed can be greater than that imposed at the original hearing. (B/T 3/2/2001, B/T 12/7/2007, 5/14/2010)
3335-23-19 Minor deviations from procedure.

A student and hearing officer may agree in advance to minor deviations from procedure. Such deviations are not then subject to appeal. Other minor deviations are acceptable as long as such deviations are not found upon appeal to be unreasonably harmful to the student. (B/T 3/2/2001)

3335-23-20 Interim suspension.

When the vice president for student 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 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 life or designee. (B/T 3/2/2001, B/T 7/11/2003, 5/14/2010)

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 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 life 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 life or designee may also consult with any other persons whom the vice president for student life 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 life 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 life or designee may request the student to undergo an appropriate examination, as specified by the vice president for student life 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 life or designee shall, to the extent reasonably possible, take the least restrictive measure or combination of measures necessary to resolve the risk or disruption.
(C) 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 life 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 life 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 life or designee deems appropriate. The vice president for student life 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 life, 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, 5/14/2010)

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 life, 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 deans of colleges and of the graduate school, the directors of schools, and the chairpersons of departments, respectively, are responsible to the president through regular disciplinary channels for the discipline of all students in the activities of their respective colleges, schools, and departments (see paragraph (B) of rule 3335-11-01 of the Administrative Code). Likewise, the deans and directors of the regional campuses are responsible to the president through the executive vice president and provost for the discipline of all students in the activities of their respective campuses.

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 life. 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, 5/14/2010)