FACULTY COUNCIL MEETING

**3:00 p.m., Tuesday, May 14, 2019**

# Council Room, 412 Student Union

**AGENDA:**

1. Roll Call

2. Approval of the April 9, 2019 Minutes

3. Approval of Agenda

4. Special Reports:

A. Dawn Underwood – Assistant Vice President for Research Compliance

B. Ramesh Kaipa – OSU Speech-Language-Hearing Clinic

5. Joe Weaver for President Hargis – Remarks and Comments

6. Report of Status of Faculty Council Recommendations:

President Hargis, Provost Sandefur, Dr. Doug Hallenbeck and/or Vice Presidents

7. Reports of Liaison Representatives –

1. Emeriti – Barbara Miller

The results of the survey of University retirees are in. The Board was delighted to learn that over 40 percent turned in their survey!  Copies of the full report will be sent to President Hargis and Provost Sandefur, with copies to Joe Weaver and the University Deans.  The entire document will be available on the Emeriti website. Highlights include a high involvement in University activities, with nearly 70% continuing to purchase tickets to theatre, music and arts events, and nearly 60% purchasing tickets to sporting events. Over 60% donate to department, college and university scholarship programs and to University fundraising campaigns. In addition, over half of respondents continue to serve on university committees, serve as mentors, and usher at OSU events.

We hope the results of the survey will be helpful to the University Administration in planning future activities at OSU.

1. Staff Advisory Council – Raquelle Parli

* Staff Advisory Council just completed our election process for Council positions for 2019-2020. All ten available positions were filled (7 with returning incumbents and 3 with new members). Newly elected and returning incumbents will be seated at our June End of Year luncheon and training meeting. Council officers for 2019-2020 will also be elected at that meeting.
* One of Staff Advisory Council’s big events of the year is coming up on Wednesday, May 22 and that is our annual Staff Celebration Day. This event runs from 11:00-1:00 and is a come and go free lunch for all OSU staff members. Food this year will be catered by Rib Crib. Staff Celebration Day is sponsored by SAC and is provided by the OSU Administration as a thank you to staff members. Please encourage the staff members in your areas to attend the event! We ask you to be flexible in allowing staff members to take additional time for lunch on that day if at all possible so that they can enjoy the food and vendors.

1. Wellness – Kim Beard



1. Women’s Faculty Council – Tracy Quan

The WFC would like to thank everyone who attended any of our meetings, book clubs, and seminars, as well as the many faculty who reviewed the applications for research awards and the Ann Ryder and Clara Smith Leadership Scholarship. We have really appreciated all the assistance, input, and support!

Other highlights from this year include:

* Inviting 6 guest speakers from OSU to discuss critical issues surrounding our campuses
* Hosting Dr. Rebecca Sandefur who presented during Research Week on *The Quiet Crisis of Access to Justice*
* Offering a Preparing Future Faculty Panel with representatives from across academic ranks at OSU
* Discussing the book *Lived Experiences of Women in Academia* with facilitator Erica Townsend
* Awarding $17,000 in scholarship and award funding to 23 undergraduate and graduate students across OSU colleges
* Initiating the first annual Faculty Poster Symposium
* Receiving funding from the President’s Fellows Fund to offer three new WFC Faculty Awards at $1500 each. Stay tuned for more information in the fall!

The incoming WFC Chair is Dr. Kim Loeffert, and she is very interested in suggestions for activities and speakers for next year. Dr. Awilda Rodriguez Carrion will be the new liaison to Faculty Council. Elections for next year’s WFC Vice Chair, Secretary, and Treasurer are going on now. If you are a member of WFC and have not received a link to the ballot/survey, please contact Steph Link ([steph.link@okstate.edu](mailto:steph.link@okstate.edu)).

Anyone interested in the WFC can visit our website at womensfacultycouncil.okstate.edu and sign up to be put on our email list.

1. Graduate Council – Jon Ramsey for Rebecca Sheehan

*Academic Program Committee.* A variety of degree modifications and graduate certificates were approved.

*Advisor role on the student advisory committee*. The current policy states a successful defense must have the advisor approve, which potentially undermines the role of advisory committee. General Counsel will speak about policy at the next Graduate Council.

*Vice Chair Election*. Dean Tucker requested nominations from each of the six subject matter groups to serve on the Vice Chair Nominating Committee. As per the Graduate Council bylaws:

4.4.1. Only Full Members who have been employed full-time by Oklahoma State University for three academic years, and who have served at least one, two-year term on the Graduate Council, may hold the office of Vice-Chair.

It is expected that the Election Committee will provide a slate for endorsement at the May 17 meeting at 1:30 pm.

*Membership Committee Report.* Dr. Van Delinder presented nominations for Graduate Faculty Membership from the six subject matter groups. The Membership Committee reviewed the membership actions and voted.

*Minimum Number of Dissertation Hours for the Ph.D.* Dean Tucker and the Graduate Council will review best practices for the minimum number for the Ph.D.

*Online Video Training for Graduate Faculty*. Dean Tucker asked Council to consider if online video training modules would help supplement other types of training. Council agreed that such training would be beneficial.

8. Reports of Standing Committees:

**a. Athletics: Justin Talley – Year End Report**

**Athletics Committee: Justin Talley – Year End Report**

Year-end Report 2018-19

ATHLETICS COMMITTEE

May 8, 2018

Faculty Council members: Justin Talley (Chair, Entomology and Plant Pathology), Dianne McFarlane (Veterinary Medicine Physiological Sciences, Faculty Council), and Aaron Ware (School of Culinary Arts, OSU-Institute of Technology – Faculty Council)

Members: Matt Upson (Library), Tom Royer (Entomology and Plant Pathology), Marilyn Middlebrook (Associate Athletics Director, Academic Affairs), Tim Snider (Veterinary Pathobiology), Kevin Fite (Senior Associate Athletic Director) and Stephen Clarke (Big 12 Faculty Athletics Representative)

**Ongoing effort:**

1. The Athletics Committee met several times throughout the year to address the OSU policy 2-0217 regarding Attendance Policy for Students. The main issue was to refine the policy to define an excused absence so both student and faculty have equal representation addressing students who have an excused absence for university sponsored activities. The Athletics Committee modified policy 2-0217 and then sent it on to the Academic Policies and Procedures Committee which is currently addressing our modifications.

**Other activities:**

1. The committee also discussed policies related to large scale athletic events that disrupt normal university activities during the week and it was determined that these happen in such low frequency that no further action was warranted.

**b. Budget: Steve Wanger – Year End Report**

Budget Committee

Faculty Council

2018 – 2019 Year End Report

Committee Members: Stephen P. Wanger (Chair), Toby Nelson (Faculty Council Member), Jam Khojasteh (Faculty Council Member), Sandeep Nabar (Faculty Council Member), Tyrrell Conway (General Faculty Member), Dingbo Lin (General Faculty Member), Rob Agnew (General Faculty Member), Michele Seikel (General Faculty Member), Andrea Arquitt (Emeritus Faculty Member), Mindy McCann (Ex-Officio Member).

During the academic year, the committee received multiple briefings from:

* Joe Weaver, Senior Vice President for Administration and Finance
* Dr. Christie Hawkins, Associate Vice President for Administration and Finance, and Director of Institutional Research and Information Management.

The committee greatly appreciates the time and assistance that we received from both administrators.

During the spring semester, a committee member attended each Unit (college) Budget Discussion Briefing. These included: Agricultural Sciences and Natural Resources; Arts and Sciences; Center for Veterinary Health Sciences; Edmon Low Library; Education, Health and Aviation; Engineering, Architecture and Technology; Graduate College; Honors College; Human Sciences; Spears School of Business. The committee observed three primary trends during these briefings. First, colleges are increasingly focusing on both student success and student retention. Second, colleges consistently stated the need to increase faculty salaries to better retain faculty. Third, multiple colleges seek funding for additional support for research.

**c. Campus Facilities, Safety, and Security: Scott Frazier – Year End Report**

Faculty Council: Campus Facilities Safety (CFSS) Subgroup

EOY 2018-2019 Activities (R.S. Frazier Chair)

Topics discussed:

1. SPIN Scooters on Campus. This led to a recommendation to be taken to full Faculty Council with regard to parking, speed control, etc. However the university Banned the Byrd and Lime scooters just prior to our recommendation.
2. Program for better dissemination of Orange Shield Capabilities – Still in discussion
3. Analysis of Orange Shield use analytics for patterns of crime – on going
4. Campus Bicycle safety program for students – on going
5. Campus Security Cameras, locations, who is monitoring, do we need more? – on going
6. Campus Lighting Audits – on going
7. Storm shelter locations linked to Orange Shield for rapid determination of closest shelter via geo-pin (real time) – on going
8. Possible Cowboy Shuffle (diagonal pedestrian crossing) at Monroe and Hall of Fame – Already being analyzed

**d. Diversity: Justin Moss – Year End Report**

Faculty Council Diversity Committee Report – May 14, 2019

The OSU Faculty Council Diversity Committee meetings in 2018-2019 focused on issues of Inclusion and Diversity on campus. The Committee continued discussion from the 2017-2018 academic year on issues related to Inclusion and Diversity training for faculty search committees. Currently, the OSU Division of Institutional Diversity and Dr. Jason Kirksey, Vice President and Chief Diversity Officer, can provide training to faculty search and screen committees by request. This training has also been offered Department/College/Program wide at various times. A goal of Faculty Council Diversity Committee the is to continue to take steps and support initiatives towards a culture of inclusion at OSU. The Committee discussed strategies to support various diversity initiatives across campus. There are many opportunities related to diversity and inclusion across campus and these various initiatives are supported by a variety of faculty, staff, and student affiliated organizations. The committee discussed ways for faculty collaboration with these initiatives or programs across campus. To this end, Dr. Jason Kirksey has initiated a program to bring together affinity groups for a quarterly update meeting via the Division of Institutional Diversity, with the first meeting occurring during the Spring 2019 semester. In addition, the Faculty Council Diversity Committee Chair is a member of the University-wide Diversity Advisory Board which meets monthly during the academic year. The Faculty Council Diversity Committee will continue to obtain faculty input from Colleges and Programs throughout campus and will continue discussion of possible recommendations in 2019-2020.

**e. Faculty: Robert Emerson – Update/Year End Report**

Recommendation: Termination Procedures\*

**FACULTY COMMITTEE**

2017-18 Annual Report

May 8, 2018

**Members:**

Robert Emerson, Chair (Civil and Environmental Engineering)

Mindy McCann, Interim Chair (Statistics)

Cindy Melancon (Psychology)

Gina Peek (Design, Housing and Merchandising)

Justin Talley (Entomology and Plant Pathology)

Camille DeYong (Industrial Engineering & Management)

Nicholas Materer (Chemistry)

Holly Karibo (History)

Pamela Lovern, Faculty Council Secretary, Ex Officio (Physiological Sciences)

Barbara Miller (Emeriti Association)

**Faculty Committee completed work on the following documents:**

19-02-01-Verification of Teaching Faculty Qualifications.

* Passed February 12, 2019
* A new “Policy for Verification of Teaching Faculty Qualifications” was developed to meet requirements for accreditation by the Higher Learning Commission.
* The policy was originally developed by Brenda Masters.
* The policy was reviewed and edited by the Faculty Committee.
* The policy sets up the process for documenting teaching faculty qualifications by either academic credentials or approved tested experience exceptions.

Appendix C: General Termination Procedures

* Suggested changing the current procedure which involved three investigations by different groups to one investigation with representation from all three original groups
* This streamlines the process and reduces the obvious redundancy in the current process, while still allowing for representation from all of the previous investigating bodies

**Other activities:**

Upon the request of the Provost, Faculty Committee is currently reviewing 3 dossiers for reappointment, promotion and tenure.

**Ongoing Activities:**

The Faculty Committee has many topics under consideration/review. The primary topics for future activity include:

* Reviewing the faculty termination process and how cumulative review procedures fit into it.
* Evaluating if non-tenure track teaching faculty should be eligible for a Regents Distinguished Teaching Award. Currently the award can only be awarded to tenure track faculty. Consideration is being given to either including non-tenure track faculty in with tenure track faculty for the award or having a new award for only non-tenure track faculty.
* Evaluating if/how community engagement can be used in the RPT process.

**f. Long-Range Planning and Information Technology: Eric Rebek – Year End Report**

Long-Range Planning and Information Technology Committee – Year End Report 2018-19

LONG RANGE PLANNING AND INFORMATION TECHNOLOGY COMMITTEE

**Faculty Council Members**: Eric Rebek (Chair, Entomology and Plant Pathology), Mindy McCann (Statistics, Faculty Council Vice Chair), Subhash Kak (Electrical and Computer Engineering), Christopher Crick (Computer Science)

**General Faculty Members**: Matt Bowler (Management), John Kirkpatrick (Emeriti Representative), Shane Lyon (Veterinary Teaching Hospital), Ki Cole (Educational Studies), and Kevin Dyke (Library)

The committee made the following recommendations:

1. OSU Intellectual Property and Copyright Policy. Following two years of careful review by the committee in collaboration with Research Committee, Faculty Council approved the recommendation on October 9, 2018, pending further review of the policy by the Office of Academic Affairs and the Graduate College for consistency with existing policies and procedures. On February 12, 2019, Drs. Sandefur and Sewell reported that the policy was accepted and would be immediately effective upon approval by the OSU/A&M Board of Regents.
2. Support for One Classroom Response (“Clicker”) System. In collaboration with Student Affairs and Learning Resources Committee, the committee recommended that OSU provide support for only one clicker system. Faculty Council moved to approve the recommendation on March 12, 2019. Dr. Chris Ormsbee and ITLE will be conducting a thorough evaluation of existing clicker systems before deciding on a system to support for instruction throughout the OSU/A&M system.

Other activities:

1. Eric Rebek met with Scott Frazier and the Campus Facilities, Safety, and Security Committee on April 5, 2019 to discuss ongoing efforts to enhance security on campus. Both committees will work together in the coming academic year to obtain usage data for Orange Shield and information about how security cameras and lighting can be used effectively on campus, especially in parking lots.
2. Members of the committee have expressed an interest in addressing food insecurity issues for OSU students. Faculty Council, Student Government Association, Our Daily Bread, and other entities are collaborating to raise awareness and provide resources for affected students.

Respectfully submitted by:

Eric Rebek, Chair, Long-Range Planning and Information Technology Committee

May 8, 2019

g. **Research: Dianne McFarlane – Year End Report**

**Faculty Council Research Committee: End of year report**

**Committee members**: Dianne McFarlane (Chair), Franklin Champlin, Nurhan Dunford, Suhbash Kak, Ajay Kumar, David Lewis, Edralin Lucas, Tracy Quan

The research committee started off the year working with the undergraduate research office to streamline the award process for the transcript designation, “Undergraduate Research Scholar” and to help increase awareness of the program. The committee met with Associate Dean Brenda Smith and members of the Strategic Group on Research Excellence (SCORE) to discuss the data they have gathered regarding obstacles to research at OSU and to identify areas where faculty council involvement would be appropriate. The committee also met with Vice President Sewell, Associate Vice President Van Den Bussche and Assistant Vice President for Compliance Dawn Underwood regarding research priorities for the university.  An outcome of this meeting was that committee members were invited to attend a presentation by a research marketing group, The Conversation. Participation in this marketing platform is being considered by research administration to help address the poor visibility of research at Oklahoma State University. Finally the committee reviewed proposed revisions to Oklahoma State University Policy and Procedures 4-0125, Complaints of Research Misconduct. These proposed revisions, submitted to Faculty Council by Vice President for Research Ken Sewell, were suggested to better align OSU policy with that of the Public Health Services and National Science Foundation.

**h. Retirement & Fringe Benefits: Griffin Pivateau – Year End Report**

**Retirement and Fringe Benefits Committee Year end report**

Members: Griffin Pivateau, Chair, Karen Neurohr, Benjamin Bindewald, Cheryl Giddens, Mark Thai, Deb VanOverbeke, and Robert Wettemen.

In 2018-19, the OSU Retirement and Fringe Benefits Committee focused on issues of transparency and communication. In initial meetings, the committee determined that the greatest challenge for faculty was understanding the many changes that have taken place in the retirement system since 2011. In the fall, OSU Retirement Manager Amy Hoy provided the committee with a comprehensive presentation on the state of the two retirement systems in place at OSU, the OTRS pension plan and the TIAA Alternative Retirement Plan.

The committee invited Ms. Hoy to present to the Faculty Council as a whole. The committee worked together to identify the key issues that Ms. Hoy should cover in her Faculty Council report. The committee chair met with Ms. Hoy regarding the substance of those issues. Unfortunately, due to unexpected circumstances, Ms. Hoy was unable to speak to the Council at the April meeting. She has, however, promised to appear in fall 2019 for her report.

In the next year, the Retirement and Fringe Benefits committee intends to continue its efforts to ensure the the OSU faculty has a broader understanding of retirement possibilities and options.

**i. Rules and Procedures: Pamela Lovern – Year End Report**

RULES & PROCEDURES COMMITTEE

2018-19 Annual Report

May 10, 2019

**Members:**

Pamela Lovern, Rules & Procedures Committee Chair & Secretary, Faculty Council (Physiological Sciences)

Rene Hurst (OSU-OKC)

Subhash Kak (Electrical & Computer Engineering)

Jam Khojasteh (OSU-Tulsa)

This year, the Rules & Procedures Committee oversaw the election of new Faculty Council representatives and a new Faculty Council Vice Chair. Election results are below:

A&S: Tyrell Conway (1 year term)

Cristina Gonzalez (2 year term)

Toby Nelson, Cindy Melancon, and Matt Lovern (3 year terms)

CASNR: Bruce Dunn

CEAT: Tieming Liu

CoEHA: Ki Cole

CHS: Sarah Hall

SSB: Harounan Kazianga

OSU-OKC: Anthony Smith

This year, there was a tie for the Vice Chair position. Jon Ramsey and Gina Peek each received equal number of votes from the general faculty. According to the Bylaws of the General Faculty, the process for breaking a tie vote is to draw lots to select the winner. This was done by the Faculty Council officers. Faculty Council Chair Udaya DeSilva then formally challenged the election result as described in the Bylaws of the General Faculty. This allowed Faculty Council to proceed to a secret vote of Faculty Council members to determine the winner of the Vice Chair election. A secret ballot was conducted at the April 9, 2019 Faculty Council meeting. Gina Peek received the majority of the votes in this ballot. She will therefore take up the office of Vice Chair of Faculty Council for 2019-20. The officers of Faculty Council recommend that the current election procedure described in the Bylaws of the General Faculty be assessed by Faculty Council during the next academic year and updated/revised as necessary.

The Rules & Procedures committee, in conjunction with the officers of Faculty Council, also oversees the appointment of faculty members to the Standing Committees of Faculty Council, as well as the appointment of faculty to various University-level committees. To assess faculty interest in serving on these various committees, the Committee Preference Survey was distributed to OSU faculty on April 17, 2019 with a closing date of April 29, 2019. The results of the survey will be analyzed during the week of May 13, 2019 and used as a guideline for assigning members to each committee.

Respectfully submitted,

Pamela Lovern, Rules & Procedures Committee chair

**j. Student Affairs and Learning Resources: Gina Peek – Year End Report**

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# OSU Faculty Council

Student Affairs and Learning Resources

Chair – Gina Peek, Associate Professor, Design, Housing and Merchandising

Members: Shaoqian Zhang, Rebecca Sheehan, Steve Wanger, Adam Molnar, Adriana Petrova, Kent Sampson, Jessica Schnaiter-Brasche, Matti Betts.

May 10, 2019

Recommendation SALR made the following recommendation to Faculty Council on February 12, 2019:

* 19-02-01-SALR: Guidelines for Reducing Textbook Costs. The recommendation was presented to Faculty Council. Faculty Council Chair asked for discussion. Seeing none moved to a vote. Motion passed.

Ongoing effort SALR will continue to examine textbook costs.

* SALR actively pursued the request made by Provost Sandefur to begin a dialogue with Faculty Council about how we can help reduce costs to students, particularly with regards to textbooks and fees. A University Wide committee is being formed to help address the issue.

SALR will join the University Wide discussion of food insecurity in 2019-2020.

**k. Academic Standards and Policies: Jon Ramsey – Update/Year End Report**

Recommendation: Reinstatement of Undergraduate Students after Academic

Suspension 2-0802 Academic Affairs\*

Faculty Council

Academic Standards and Policy Final Report

Chair-Jon Ramsey, Associate Professor Agricultural Education, Communications and Leadership

Members: Scott Frazier, Rebecca Sheehan, Angie Piehl, Karin Schestokat, Tom Wikle, Carol Jones, Kathryn Castle, Mario Borunda, Ayo Ibukun

Committee Actions:

The AS&P committee met monthly throughout the academic year. Representatives or the chair represented Faculty Council on the following Academic Affairs Committees (Retroactive Drop/Withdrawal Committee, Academic Reprieve & Renewal Review Committee, and the Grade Appeals Board)

In addition to committee representation, AS&P submitted two recommendations to faculty council for approval.

1. OSU Academic Regulation 4.4, 4.6, and 7.2 Credit by Exam Application to Undergraduate Degree Requirements
2. Reinstatement of Undergraduate Students After Academic Suspension 2-0802 ACADEMIC AFFAIRS

AS&P in cooperation with the Athletics Committee is working on an attendance policy that better defines excused absences.

Report submitted, May 7, 2019

9. Old Business –

10. New Business –

11. Adjournment

*Refreshments will be served at 2:45 p.m.*

***\*Attached***

**Amended by Passed Failed**

**Recommendation No.** 19-05-01-Faculty 1.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_

**Moved by:**   Faculty Committee 2.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_

**Seconded by:**  3.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_

**Passed**         **Tabled**         **Failed**  4.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_

**Title:** Termination Procedures

**The Faculty Council Recommends to President Hargis that:**

The changes documented below be made to Appendix C: General Termination Procedures

**Rationale:**

The current procedure requires three separate investigations to be conducted: one by an investigating official appointed by upper administration, one by the unit RPT committee, and one by a committee of three past Faculty Council chairpersons. This makes the current procedure very unwieldy and time consuming, while also appearing quite redundant. This procedure is also not common among other Big Twelve universities.

That being said, it appears as if the original intent of the procedure was to ensure that appropriate faculty involvement was included in the investigative procedure. In order to stay true to this intent, but still reduce the redundancy and length of the procedure, we propose that one investigation be conducted with membership from each of the previous investigative groups. Consequently, we suggest replacing the previous three investigations with one investigation conducted by a committee of three (the Termination Review Committee): one investigating official appointed by upper administration (serves as the chair of the committee), one member of the college RPT committee who is not a member of the unit associated with the faculty member who is being investigated (selected at random), and one previous Faculty Council chairperson who has an appointment that is less than 50% administration (also selected at random). The attached document contains these changes. The changes deemed critical are highlighted in the clean copy.

# Appendix C

**General Termination Procedures**

1. **Initiation.** The University recognizes the seriousness of faculty terminations and, therefore, reserves for its administrative officers and faculty committees the prerogative to be assisted by the Board of Regents Office of Legal Counsel throughout the decisional process including any formal hearing. Groundless threats to terminate or demands to resign as an alternative to termination should not be made by the unit administrator or other official of the University.

Any person who has substantial concern that a faculty member could be subject to termination under Section 1.14.1 or 1.14.3 or dismissal on the grounds stated in Section

1.16.2 may present those concerns, substantiating evidence, and related information to the VPAA**12** for evaluation and possible action. Although not mandatory, it is preferable that this communication be presented in writing and signed by the person submitting it. Following receipt of such communication, the VPAA may seek to obtain additional relevant information from other sources in evaluating same, and shall make a judgment as to whether further inquiry is appropriate.

Should the VPAA be inclined not to initiate an inquiry, the President shall be so informed. The President, having received and reviewed all available, relevant evidence, shall consider the complaint and make a judgment as to whether it is in the best interest of the University to initiate an inquiry.

If an inquiry is to be conducted, there shall be formed a termination review committee (referred to as the “Termination Review Committee”) to serve as the administrators responsible for conducting an investigation to develop facts for evaluation and possible action. The Termination Review Committee shall be comprised of:

* 1. An investigating official appointed by the VPAA. The investigating official is an appropriate academic administrator;
  2. A member of the College Reappointment, Promotion and Tenure committee who is not from the same department of the affected faculty member and is at the same rank or higher than the affected faculty member. This member will be chosen at random by the chairperson of Faculty Council from a list provided by the Dean of the College; and
  3. A past chair of Faculty Council with an appointment that is less than fifty (50) percent administration. This member will be chosen at random by the chairperson of Faculty Council.

The affected faculty member shall be provided the names of the members chosen to serve on the Termination Review Committee. In the event the affected faculty member believes a member of the Termination Review Committee has a conflict of interest, the affected

**12**If the VPAA is unavailable, the President may designate another senior supervisory academic administrator to act for the VPAA.

faculty member shall notify the VPAA within three (3) working days of the reasons the affected faculty member believes there is a conflict of interest. If the VPAA determines a conflict of interest exists, a new member shall be chosen as a replacement using the procedures set forth above.

The investigating official will serve as chair of the Termination Review Committee. The VPAA shall provide the Termination Review Committee with all of the written information and notes of oral statements which were submitted with or were made in relation to the initial communication of concerns. The Termination Review Committee will conduct an investigation and may request legal assistance for conducting the investigation from the Board of Regents Office of Legal Counsel. The Termination Review Committee may also meet with the person(s) who communicated the original concerns and others to seek clarification and documentation.

The Termination Review Committee should thereafter determine individuals to interview and evidence to examine. The Termination Review Committee should meet with the affected faculty member in a personal conference to explore relevant issues. In this conference, the faculty member shall be told of the reasons that the investigation is being conducted and the actions that are being considered. The faculty member shall be provided a copy of the published procedures which are followed in decisions to terminate. The Termination Review Committee shall prepare a confidential interim investigation report, and it shall be provided to the affected faculty member within five (5) working days of the personal conference. If a personal conference cannot be arranged, the Termination Review Committee will deliver to the affected faculty member in person or by mail to a current office or residential address its interim investigation report, a request for response from the faculty member within five (5) working days, and a copy of the published termination procedures.

Following receipt of the Termination Review Committee’s interim investigation report, the faculty member shall have a fixed period of at least five (5) working days to respond to the substance of the interim investigation report, propose a suitable disposition to resolve concerns and/or present reasons that termination or other action(s) is unnecessary or unwarranted. Following receipt of the faculty member's written response, the Termination Review Committee will complete its investigation report and submit the report to the VPAA.

1. **Initial Administrative Review.** After the Termination Review Committee’s investigation has been conducted, the affected faculty member's unit administrator, dean, and the VPAA shall meet to review all the information which has been collected. If the unit administrator, dean, or VPAA (“Administrative Review Team”) is the faculty member being investigated, he/she shall not serve as part of this Administrative Review Team. The Termination Review Committee shall provide the members of the review team with all information that has been introduced into the case including that provided by those requesting the investigation, any provided by the affected faculty member or others, and documentary evidence. In the review, the Administrative Review Team may confer with the affected faculty member as well as others it may deem appropriate.

Following the review, the VPAA shall make a preliminary judgment whether there is reasonable and sufficient cause for termination and whether it would be in the best interest of the University to continue with the termination procedure. The VPAA’s preliminary judgment shall be submitted to the President. The President shall make a judgment whether reasonable and sufficient cause exists for further evaluation and whether it would be in the best interest of the University to continue with the termination procedure. If in the judgment of the President reasonable and sufficient cause has not been established for further examination, or if it is judged not to be in the best interest of the University to continue with the termination procedure, the affected faculty member will be notified in writing by the VPAA that it is not the current intention of his or her office to make a recommendation of termination. If the final decision is that termination is not appropriate but that other action is warranted, the matter shall be referred to an appropriate academic supervisory administrator for consideration and action. If in the judgment of the VPAA and the President, reasonable and sufficient cause for termination appears to have been established and it is in the best interest of the University to continue with the termination procedure, the VPAA will notify the affected faculty member and the chairperson of the Faculty Council. If the affected faculty member chooses to proceed with the termination hearing, the affected faculty member shall notify the VPAA and the chairperson of the Faculty Council within five (5) working days.

1. **Consideration by Termination Hearing Committee**.**14** Upon receipt of notice that a formally recommended termination will be disputed, the chairperson of the Faculty Council shall provide the principal parties (the affected faculty member and the Termination Review Committee) with a list of the individuals initially chosen to serve as members of the Termination Hearing Committee. The chairperson of the Faculty Council shall also provide the members of the Termination Hearing Committee with a copy of the notice of the recommended termination which has been disputed. The Termination Review Committee shall elect one of its members to serve as the University Representative during the termination hearing and this individual shall be considered a party for purposes of this Appendix C.

The University shall provide appropriate facilities, assistance, equipment and support to the Termination Hearing Committee and shall assist the committee in obtaining the cooperation of witnesses and making available documentary and other evidence. The personnel records of the affected faculty member shall be accessible to the parties, the Termination Hearing Committee, and review authorities and their representatives.

The Termination Hearing Committee shall begin the hearing within thirty (30) calendar days after the chairperson of Faculty Council is notified by the VPAA. The faculty member may waive a hearing or may respond to the charges in writing at any time before the hearing. If the faculty member waives a full hearing, but denies the charges against him/her or asserts that the charges do not support a finding of reasonable cause, the Termination Hearing Committee will evaluate all available evidence and rest its recommendation upon the evidence in the accumulated record of the matter and its

**14**See Section 1.15, Termination Hearing Board.

reasonable inferences. The Termination Hearing Committee shall hold a joint prehearing meeting(s) with the parties in order to: (a) simplify the issues, (b) effect stipulations of undisputed material facts or witness statements, (c) provide for the exchange of documentary evidence or other information, (d) exercise peremptory challenges and question prospective committee members to determine if disqualifying bias exists, and (e) achieve such other appropriate prehearing objectives as will make the formal hearing fair, effective, and expeditious.

1. **Hearing Procedures.** The following procedures and guidelines should be followed during the hearing:
   1. The University Representative will establish the history of the appointment and that there is reasonable cause to terminate the appointment based on a quality of proof that is clear and convincing.
   2. In all presentations of evidence, the University Representative presents his or her case first, with the faculty member following.
   3. The parties shall be permitted to utilize licensed legal counsel who shall be allowed to participate in all appropriate portions of the hearings (including prehearings), even including presentation of the faculty member's case to the committee. The committee shall consider such counsel's statements on procedural matters and may receive the opinion of its own counsel.
   4. The hearing shall be attended only by those individuals having an official connection with the proceedings as determined by the President after consultation with the chair of the Termination Hearing Committee. Other individuals will be excluded from the hearing room.
   5. Two confidential tape recordings of the hearing shall be made by a recorder designated for the proceedings by the chairperson of the Termination Hearing Committee and will be accessible to the principal parties involved, the Termination Hearing Committee, the President, the governing Board of Regents, and authorized representatives on a "need to know" basis.

Either party to the hearing may request that the committee endeavor to provide a typed transcript of the testimony. The cost of preparation of such a transcript shall be paid by the party making the request. The second party may obtain a duplicate copy by paying the current fees for copying.

* 1. A reasonable time limit should be established for opening and closing statements and shall be announced prior to or at the outset of the hearing.
  2. Length of hearing sessions may be established in advance; every reasonable effort should be made to conduct the hearing(s) as expeditiously as possible, with equal fairness to both parties.
  3. The Termination Hearing Committee, through its chairperson, shall require from the parties involved that they submit to the committee and exchange with the other party within 72 hours of the conclusion of the prehearing meeting(s):
     + a list of witnesses whom they wish to present;
     + a written exposition of all known relevant facts and/or opinions, as well as circumstantial evidence; and
     + documents which they deem pertinent to the case. In cooperation with the chair of the committee the respective parties are responsible for arranging the presence of their own witnesses and will schedule them for appearance as close to the time of call as possible. Both parties shall be permitted during the course of the hearing(s) to introduce additional documents and present witnesses not on their original lists, subject to reasonable notice to the other party and the consent of the committee.
  4. After primary witnesses for both parties have been heard, such witnesses may be recalled for additional questioning if requested by either party or the Termination Hearing Committee. The Termination Hearing Committee may call new witnesses whose testimony it deems relevant or helpful as well as request documents not otherwise introduced by either of the parties.
  5. All evidence and other information pertaining to the termination hearing shall be treated in a confidential manner, except for reporting authorized by this policy statement.
  6. Only information relevant to the termination action should be admitted into evidence. For the purpose of the hearing committee, questions of relevance shall be decided by the chairperson (subject to later review as provided or referenced herein). Physical evidence and testimony that is excluded from evidence shall be appropriately described by the offering party and appended to the hearing report for review on appeal.
  7. The Termination Hearing Committee shall grant adjournments to enable either party to investigate evidence against which a valid claim of surprise is made.
  8. The faculty member and the University Representative shall normally have the right to confront and cross-examine all witnesses at the hearing. When the prospective witnesses cannot or will not appear, but the committee determines that the interests of fairness require formal admission of their statements, the committee shall identify the witnesses, disclose their statements, and if reasonably possible arrange for answers to proposed interrogatories from such witnesses.
  9. In the hearing of any allegations concerning incompetence, the evidence in support thereof shall include that of qualified faculty members from Oklahoma State University and/or other institutions of higher education.
  10. The Termination Hearing Committee shall not be bound by strict rules of legal evidence, and may admit any evidence which is of probative value in evaluating the issues involved. Every reasonable effort shall be made to obtain the most reliable evidence available.
  11. The Termination Hearing Committee reports findings of fact and its recommendations shall be based solely on formally admitted evidence contained in the hearing record and reasonable inferences drawn therefrom. Members of the committee shall not converse with nor listen to any person outside the formally convened hearing committee pertaining to the facts, circumstances, or the subject person(s) related to the purpose(s) for which such hearing committee has been appointed or organized.
  12. Neither the participants nor their representatives should cause publicity or public statements about the case, except for such simple announcements as may be required covering the time of the hearing and similar matters.

1. **Committee Report.** The report of the Termination Hearing Committee shall specifically cite the information upon which its advisory conclusions were based. The written report shall contain:
   1. a statement of the purpose of the hearing;
   2. issues considered;
   3. findings of fact; and
   4. advisory recommendations.

The Termination Hearing Committee shall conclude whether reasonable cause for termination has been sufficiently established by clear and convincing evidence in the record, and it shall so report to the President. If the Termination Hearing Committee concludes that reasonable cause for termination has been established, but that an action other than termination should be considered, it shall so recommend, with supporting reasons. The Termination Hearing Committee shall make its confidential report to the President of the University with complete copies to the principal parties, their representatives, and related administrators. Said report shall also include all information barred from admission into evidence by the chairperson of the Termination Hearing Committee. The chairperson of the Termination Hearing Committee shall inform the chairperson of the Faculty Council that the report of the Termination Hearing Committee has been submitted to the President.

The affected faculty member and the Termination Review Committee shall each have five working days from the date the report is submitted to the President within which to present in writing any specific objections for consideration regarding the content of the report or the adequacy of the processes used by the committee in arriving at its advisory conclusions. The committee shall make available to the President the taped record of the hearing for discretionary reference.

1. **Review and Recommendation by the President.** The President shall exercise reasonable care in reviewing the report of the Termination Hearing Committee. If the President is unable to concur in the findings or recommendations of the Termination Hearing Committee, the report shall be returned to the committee with specific concerns stated in writing. The Termination Hearing Committee will then reconsider, taking into account the stated concerns and, if necessary, review any new evidence or other matters with the parties, if practical. The final report of the Termination Hearing Committee shall be sent to the President and principal parties, with complete copies to their representatives and related administrators.

The written decision of the President shall be sent to the chairperson of the Faculty Council, the chairperson of the Termination Hearing Committee, and the principal parties, with copies to their representatives and related administrators. If the decision of the President is to recommend termination to the governing Board of Regents, the President shall inform the affected faculty member of the Board of Regents' published procedures for appeals to it. The President may submit a formal recommendation for termination to the Board of Regents no sooner than ten working days after the affected faculty member has been sent notice by the President that a recommendation for termination is to be made. A recommendation for termination to the Board of Regents shall include the full final report of the Termination Hearing Committee and any other related allied papers, reports, or recommendations as the President may deem appropriate. At any point in the procedure, prior to the time that the recommendation is formally considered by the Board of Regents, the affected faculty member may withdraw the challenge to the dismissal recommendation.

1. **Review and Action by the Board of Regents.** If the Board of Regents chooses to review the case or if the faculty member appeals the President's decision, the review should be conducted according to the published procedure which provides an opportunity for argument, oral or written or both, by the principal parties or their representatives. The Board of Regents has established procedures for perfecting an appeal to the Board and the conduct of the appeal. A copy of the procedures is available on request from the Office of Legal Counsel at the Board's Office located in the Student Union, Oklahoma State University. The appeal must be initiated by the filing of a petition by registered mail with the Board's Chief Executive Officer at the Board's office in the Student Union, Oklahoma State University, within fourteen regular calendar days of the President's decision.
2. **Announcements.** Except for such simple announcements as may be required, public statements about the proposed termination action by either the faculty member, Termination Review Committee, affected administrators, or other institutional personnel should be avoided until the proceedings have been completed. An announcement of the results of the completed proceedings shall be provided to the Chairperson of the Faculty Council who may share such information with the Faculty Council and it may be published in the minutes of the Faculty Council.

**Amended by Passed Failed**

**Recommendation No.** 19-05-01-ASP 1.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_

**Moved by:**  Academic Standards & Policies  2.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_

**Seconded by:**  3.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_

**Passed**         **Tabled**         **Failed**  4.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_

**Title:**       Reinstatement of Undergraduate Students after Academic Suspension 2-0802 ACADEMIC AFFAIRS

**The Faculty Council Recommends to President Hargis that:**

1. Change made to Summer Reinstatement Program criteria to allow students to enroll in online courses with proctored exams. Approval from advisor and Director of Student Academic Services must be provided.
2. Change language to match terms used in Banner.

**Rationale:**

1. More departments are offering online courses. Students are sometimes unable to participate in the summer reinstatement program because courses that apply to their degree programs are not offered on-campus during the summer.
2. Clean up language in the policy to match the terms we now use with the implementation of Banner.

**ONE-PAGE SUMMARY OF CHANGES FOR POLICY#:**

**Name of Policy:** Reinstatement of Undergraduate Students after Academic Suspension (2-0802 ACADEMIC AFFAIRS May 2006)

**Submitted by: Name:** Candace Thrasher **Phone #:** 744-8789

**Department:** Academic Affairs

**Date:** 01-03-19

**Significant Changes Made:**

1. Change made to Summer Reinstatement Program criteria to allow students to enroll in online courses with proctored exams. Approval from advisor and Director of Student Academic Services must be provided.
2. Change language to match terms used in Banner.

**Justification:**

1. More departments are offering online courses. Students are sometimes unable to participate in the summer reinstatement program because courses that apply to their degree programs are not offered on-campus during the summer.
2. Clean up language in the policy to match the terms we now use with the implementation of Banner.

**Those Involved in These Changes:**

THOSE INVOLVED IN MAKING THE CHANGES: Academic Affairs, Directors of Student Academic Services (DSAS), and Instruction Council

THOSE AFFECTED BY THE CHANGES:Academic Advisors, Directors of Student Academic Services, and undergraduate students.

**Has this policy been revised to include the OSU--System?**

No.

**Does this policy need Board approval? If there is any question about this, please check with Legal Counsel.**

No as it is just a change in the flow of handling the appeal.

**Do any other policies need to be updated to reference this policy?**

No.

**Plans to communicate this policy or changes when policy is approved:**

If the changes are approved, this will be communicated to the Directors of Student Academic Services to disseminate to their academic advisors. The updated criteria for the summer reinstatement program will be listed on the Academic Affairs website and provided to students who are suspended at the end of spring.