

**GOVERNANCE DOCUMENTS**

**BOWLING GREEN STATE UNIVERSITY  
BOWLING GREEN, OH 43403**

Governance Document I - Board of Trustees Preamble and Bylaws  
Governance Document II - Academic Charter  
Appendices

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**BOARD OF TRUSTEES**

**PREAMBLE TO THE GOVERNANCE**

**DOCUMENTS OF THE UNIVERSITY**

**Bowling Green State University**

Approved by the Board of Trustees  
December 20, 1991

## **BOARD OF TRUSTEES PREAMBLE TO THE GOVERNANCE DOCUMENTS OF THE UNIVERSITY**

Under Ohio law, "the government of Bowling Green State University is vested in" the eleven members of the Board of Trustees. Ohio law also requires the Board to "do all things necessary for the proper maintenance and successful and continuous operation" of the University. (Sections 3341.01(A) and 3341.04, Ohio Revised Code)

To meet their obligations under Ohio law, the members of the Board of Trustees have the ultimate responsibility for the organization, administration, and operation of the University.

# **BYLAWS OF THE BOARD OF TRUSTEES**

**Bowling Green State University**

**Bowling Green, Ohio 43403**

**Effective June 19, 2014**

Board of Trustees Bylaws adopted by action of the Trustees on July 7, 1971;  
subsequent amendments adopted by the Trustees on October 24, 1971;  
August 31, 1972; October 24, 1972; April 5, 1973; January 9, 1975;  
November 10, 1977; April 19, 1979; August 9, 1979; June 26, 1981;  
March 11, 1983; May 9, 1986; June 26, 1987; November 20, 1987;  
December 20, 1991; April 2, 1993; April 26, 1996; September 9, 1997;  
February 23, 1998; June 28, 1999; February 26, 2010; June 21, 2012;  
May 3, 2013; February 21, 2014; June 19, 2014

**BYLAWS OF THE BOARD OF TRUSTEES**  
**Bowling Green State University**  
**Bowling Green, Ohio 43403**

PREAMBLE

The Board of Trustees shall conduct all University affairs in accordance with its responsibilities and powers under the Constitution and Laws of the State of Ohio. These following Bylaws are intended to provide the general framework for the functioning of the Board of Trustees as the governing body legally responsible for the organization, administration, and operation of Bowling Green State University. Detailed rules and regulations for the organization, administration and operation of the University may be promulgated, amended, and repealed by the Board of Trustees on its own initiative or upon the recommendation of the University Administration, the Faculty, or the Faculty Senate, or any member of the University community or University constituency group who has the best interests of the University in mind, but in all cases the Board of Trustees does retain the final authority and responsibility.

ARTICLE I

MEMBERS OF THE BOARD OF TRUSTEES

Section 1. Number of Members; Appointments.

- (a) The Board of Trustees of Bowling Green State University shall, as provided by Section 3341.01(A) of the Ohio Revised Code, consist of nine voting members and two students who shall be non-voting members, all of whom shall be appointed by the Governor with the advice and consent of the Senate. The term of office of the nine voting members shall be nine years as set forth in Section 3341.01(A) of the Ohio Revised Code. The term of office of the non-voting student members shall be two years, with the seats being vacated on alternating years.
- (b) As specified in §3341.01(F) Ohio Revised Code, a member shall continue in office subsequent to the expiration date of his/her term until a successor is appointed or until a period of sixty (60) days has elapsed, whichever occurs first.
- (c) The student members of the Board shall be appointed by the Governor, with the advice and consent of the Senate, from a group of five candidates selected pursuant to a procedure adopted by the university's student governments and approved by the Bowling Green State University Board of Trustees.
- (d) The non-voting student members shall not be entitled to attend executive sessions of the Board.

Section 2. National Trustees.

- (a) To take advantage of the talents, resources, and experiences of Bowling Green State University alumni who do not live in the state of Ohio, the Bowling Green State University Board of Trustees establishes the position of National Trustee.
- (b) National Trustees will be non-compensated advisors to the Board of Trustees, and will have no voting privileges at Board of Trustees meetings. National Trustees are not eligible to become officers of the Board, but will otherwise participate in all Board activities, including committee membership. National Trustees will have voting privileges on committees and may serve as committee chairs.
- (c) National Trustees will be selected and removed by the Bowling Green State University Board of Trustees, and the Board Chair will prepare a formal letter of appointment with notification to the Governor of Ohio.
- (d) Travel expenses for National Trustees will be reimbursed consistent with the policy for voting members of the Board of Trustees.
- (e) A maximum of three National Trustee positions are authorized, each serving a three-year term. National Trustees are eligible for appointment to two consecutive terms (six years).
- (f) National Trustees will be chosen on the basis of the following attributes: Bowling Green State University alumna/alumnus; successful in chosen field or business; state or national prominence; ability to be an advocate for higher education; and willingness and ability to offer counsel.

ARTICLE II

MEETINGS OF THE BOARD OF TRUSTEES

Section 1. Regular Meetings. There shall be four to ten regular meetings held annually during the months of September through June. By a majority vote, the Board members may change the date of or eliminate meetings.

Section 2. Regular Meetings - Procedure for Cancellation.

- (a) Following review of items to be considered by the Board of Trustees, the Administrative Council (President, Vice Presidents, Board Secretary and others designated by the President) will consider possible cancellation or postponement of a regular meeting and notify the Board Chair if the recommendation is to cancel or postpone the meeting of the Board.

- (b) The Chairman of the Board will make the decision concerning whether the meeting is to be held as scheduled, subject to appropriate review with all other voting Board members.
- (c) Notice and poll on proposed cancellation of a regular meeting is to be conducted by telephone call to each voting Board member by the Board Secretary, as requested by the Board Chair.
- (d) If a majority of the other voting members agree with the recommendation of the Board Chair, written notice of cancellation of a regular meeting is to be given by the Board Secretary to each Board member, constituent representatives, appropriate administrative staff, and the media.

Section 3. Special Meetings. Special meetings shall be held upon the call of the Chair, or shall be called by the Chair upon written request of three voting members of the Board.

Section 4. Notice, Time and Place of Meetings.

- (a) Notice. Written notice of regular meetings shall be mailed to each Board member by the Secretary to the Board or the Office of the President of the University at least one week prior to the date of the meeting.
- (b) Time and Place. Unless otherwise stated in the notice of the meeting, all meetings of the Board shall be held at the University at such time as is designated in the notice.

Section 5. Organization of Meetings. The Chair of the Board shall preside at each meeting. In the Chair's absence, the Vice Chair shall preside, or in the absence of both, a chair chosen by the majority of the voting members of the Board shall preside. The Secretary (or any person appointed by the Chair) shall perform the duties of the Secretary of the meeting and shall keep the minutes thereof.

Section 6. Quorum and Manner of Action. A majority of the voting Board members shall be present at any meeting in order to constitute a quorum for the transaction of business, and a majority of the votes cast shall be sufficient for any action of the Board. A roll call vote shall be necessary when acting on motions involving the expenditure of University funds, but on all other matters a voice vote shall be sufficient except as otherwise herein provided.

Section 7. Conduct of Meetings. All meetings shall be conducted in accordance with the parliamentary procedure outlined in *Robert's Rules of Order, Revised*.

Section 8. Business to be Considered.

- (a) Introduced by a Board Member. Any proposed action to be introduced by a Board member which shall substantially affect the University's policies shall

be submitted to the other Board members prior to the meeting at which the matter is to be considered.

- (b) Recommendation by the President of the University. Faculty tenure and promotion recommendations and all major questions of University policy (including the annual budget) to be recommended by the President of the University shall be submitted either completely or in summary form to each member of the Board prior to the meeting at which the matter is to be considered.
- (c) Other Matters. Any matter coming to the Board other than from a Board member or the President of the University shall be submitted to the Secretary to the Board at least three weeks prior to the meeting at which it is proposed for consideration.

Section 9. Travel Expenses. Ohio Revised Code Section 3341.02(c) provides that the members of the Bowling Green State University Board of Trustees shall receive no compensation for their services but shall be paid their reasonable and necessary expenses while engaged in the discharge of their official duties. Reasonable and necessary expenses for purposes of travel Code Section 3341.02(c) means reasonable and necessary transportation costs from the Ohio residence of an individual trustee to and from Bowling Green State University, the Firelands campus of Bowling Green State University or any other location where the Board of Trustees may conduct an official meeting of the Board. Reimbursement of all other travel expenses shall be approved by a majority of the Board of Trustees.

### ARTICLE III

#### OFFICERS OF THE BOARD

Section 1. Number. The officers of the Board shall be a president, a vice president, and a secretary. The said president and vice president are referred to in these Bylaws as "Chair" and "Vice Chair," respectively, and may be referred to by such latter titles.

Section 2. Qualifications, Election, and Term of Office.

- (a) Qualifications. The Chair and Vice Chair shall be members of the Board. The qualifications of the Secretary shall be determined by the Board.
- (b) Election. The officers of the Board shall be elected annually at a meeting of the Board in late spring. They shall take office immediately following the adjournment of the meeting at which they were elected and shall hold their office until their successors are elected and take office.

- (c) Term of Office. The Chair shall be eligible for reelection for one successive term only.

Section 3. Duties of Officers.

- (a) Chair. When present, the Chair shall preside at all meetings of the Board and, unless otherwise ordered by the Board, shall appoint members and designate the chairs of any committees. The Chair shall perform such other duties as usually pertain to the office, and any duties as from time to time may be assigned by the Board. Unless specifically provided to the contrary by the Board, the duties of the Chair may be assigned to another member of the Board.
- (b) Vice Chair. At the request of, or in the absence or disability of the Chair, the Vice Chair shall perform all the duties of the Chair, and while so acting shall have the powers and authority of and be subject to all the restrictions of the Chair. The Vice Chair shall assist the Chair at the latter's request.
- (c) Secretary. The Secretary shall be responsible for issuing notice of the meetings of the Board, if not handled by the President of the University, recording the minutes of all meetings of the Board and distributing them to the members of the Board in advance of the next regularly scheduled board meeting, and for performing such other duties as from time to time may be assigned by the Board and/or the Chair except as otherwise herein provided by these Bylaws.

Section 4. Vacancy in Office. In the event of a vacancy in the office of the Chair, the Vice Chair shall become Chair. In the event of a vacancy in any other office, the Chair shall fill it by appointment.

## ARTICLE IV

### COMMITTEES

Section 1. The Financial Affairs/Facilities Committee. The Financial Affairs/ Facilities Committee shall consist of at least three non-student members and one student member. The Financial Affairs/Facilities Committee shall review all financial matters which are to be considered by the Board of Trustees, except those specifically assigned to the audit committee. In addition, this committee shall review all proposed capital improvement projects, including major renovation and maintenance projects, which are to be considered by the board of trustees.

In their first three or four years, new board members shall generally be assigned to serve on both the Financial Affairs/Facilities and the Academic and Student Affairs Committees so as to learn the work of both. Thereafter, the Board Chair shall try to accommodate both the strengths of each board member and the needs of the

university in making the appointments. However, every effort shall be made to maintain continuity of membership, especially on the Financial Affairs/Facilities Committee.

- Section 2. The Academic and Student Affairs Committee. The Academic and Student Affairs Committee shall consist of at least three non-student members and one student member. The Academic and Student Affairs Committee shall review all policy and programming matters requiring attention or action of the full Board which are integral to fulfilling the academic mission of the University and to assuring a high quality of life for students. In addition, this committee shall review all personnel policies and procedures that require the vote of the full Board, including tenure and promotion recommendations.
- Section 3. The Executive Committee. The Executive Committee shall consist of no more than four non-student members: The Chair of the Board, the Vice Chair of the Board, a past Chair of the Board, and either the Chair of the Academic and Student Affairs Committee or the Chair of the Financial Affairs/Facilities Committee. Responsibilities of the Executive Committee include consultation with the President; setting Board meeting agendas pursuant to Article II of these Bylaws; consideration of matters not within the assigned purview of any standing, special, or ad hoc committee of the Board; assignment of particular matters, not clearly within the purview of any Board committee, to one of the Board's standing, ad hoc, or special committees; evaluation of the President and appropriate other staff as requested by the President; and consideration of other matters as appropriate to an Executive Committee, or as assigned by the Board. In its role in evaluating the President, the Executive Committee will solicit comments and advice from the full membership of the Board of Trustees and will prepare a preliminary evaluation for review in an Executive Session of the Board of Trustees.
- Section 4. The Audit Committee. The Audit Committee shall consist of at least three non-student members. The Committee will assist the Board of Trustees in fulfilling its oversight responsibilities in financial reporting, internal control, compliance and code of conduct processes. Specific Committee responsibilities will be defined in an Audit Committee Charter, which will be approved by the Board of Trustees.
- Section 5. The Compensation Committee. The Compensation Committee shall consist of four non-student members. The committee shall provide oversight and counsel to the President regarding compensation matters related to the senior leadership of the University. Matters to be brought to the committee include, but are not limited to, roles and responsibilities of senior leadership positions and position specifications; compensation strategy and comparison data; and any other compensation matter assigned by the Board or the Chair of the Board.
- Section 6. The Governance Committee. The Governance Committee shall consist of four non-student members. The committee shall consider and make recommendations

to the Board regarding matters pertaining to the organization of the Board and involvement and role of trustees. Matters to be brought before the committee include, but are not limited to, the Board's structure and operation; general governance policies and procedures; trustee orientation; workshops, retreats, and trustee development; the statement of expectations regarding trustee comportment within the Board and with the President and internal and external constituencies; Board officer elections; Board self-assessment; and any other matter assigned to the committee by the Board or the Chair of the Board.

- Section 7. The Joint Development and Investment Committee. The Joint Development and Investment Committee shall consist of no more than four voting members of the Board of Trustees and no more than five members of the Bowling Green State University Foundation. The Committee is charged with reviewing and making recommendations to both the University and Foundation Boards and standing committees on matters pertaining to advancing their respective investment strategies and plans. Broad areas of responsibility for the committee include (a) investment policy and guidelines including asset allocation, (b) fund manager selection, (c) investment advisor evaluation, and when appropriate, search and selection, (d) fundraising and development policies, (e) capital or comprehensive campaigns, (f) acceptance of gifts, and (g) other related matters.
- Section 8. Other Committees. All other committees shall be *ad hoc* with the term of office of each member terminating when the committee assignment is completed.
- Section 9. The Chair or the Vice Chair of the Board shall serve as an *ex officio* member of each committee of the Board.

## ARTICLE V

### ADMINISTRATION OF THE UNIVERSITY

- Section 1. President of the University. The executive officer of the University shall be the President, who shall appoint the Vice Presidents and such additional officers as the President, with the consent of the Board, may from time to time select. Each officer shall have such duties and responsibilities as are assigned by the President and each serves at the pleasure of the President. However, in the appointment of a new Vice President for Academic Affairs or the evaluation of an incumbent Vice President for Academic Affairs, the President shares responsibility with elected faculty representatives.
- (a) The President. The President as the chief executive officer of the Bowling Green State University shall be responsible for the entire administration of the University, subject to the control of the Board of Trustees. The President shall lead in fostering and promoting education, research, and public service as the primary aims of the University. It shall be the President's duty to enforce the Bylaws, rules and regulations and directions of the Board and, as a member of

the faculty, interpret to the Board proposals and actions of the faculty. It is the policy of the Board that all information coming to Trustees which is pertinent to the management of the University shall be transmitted to the President in a timely fashion. Any authority or responsibility of the President may be delegated to another executive officer or to any other member of the faculty or staff of the University. Delegation of major areas of authority or responsibility shall be reported to the Board.

(b) Selection and/or Evaluation of President. The selection and periodic evaluation of the President is the responsibility of the Board of Trustees. The Board may utilize representatives of the faculty, administration, student body, and others as appropriate in conducting the selection and/or evaluation.

Section 2. Fiscal Officer. The Vice President for Planning and Budgeting shall be deemed the Fiscal Officer for all purposes except as may be otherwise specifically provided by the Board.

Section 3. Treasurer. The Treasurer of the University shall perform such functions in connection with the financial affairs of the University as are normally incumbent to that office.

## ARTICLE VI

### BYLAWS

Section 1. Amendment and Repeal. These Bylaws may be amended or repealed by a majority vote of the Board at any regular meeting of the Board, the notice of which having specified that amendment or repeal of the Bylaws is to be considered.

## **THE ACADEMIC CHARTER**

Approved by the Board of Trustees — June 17, 1983

Reprinted with Revisions — September, 1991

Last Revisions — December 2010; October 14, 2011; June 21, 2012; February 22, 2013;  
December 6, 2013; February 21, 2014; October 3, 2014

## ABBREVIATIONS USED IN THE CHARTER

ASC	=	Administrative Staff Council
BGSU	=	Bowling Green State University
CAA	=	Committee on Academic Affairs
COM/COM	=	Committee on Committees
CPA	=	Committee on Professional Affairs
CSC	=	Classified Staff Council
FAAC	=	Fiscal Affairs Advisory Committee
GSS	=	Graduate Student Senate
SEC	=	Senate Executive Committee
USG	=	Undergraduate Student Government
VPAA	=	Senior Vice President for Academic Affairs and Provost
VPFA	=	Vice President for Finance and Administration
VPSA	=	Vice President for Student Affairs
VPUA	=	Vice President for University Advancement

**PART A**

**GOVERNANCE**

## **ARTICLE I: THE BASIC PRINCIPLES**

The following are guiding principles upon which this Academic Charter is based:

A. Essential to the atmosphere of a University is academic freedom, the full freedom of speech, freedom to teach, to learn, and to conduct inquiry in a spirit of openness necessary to the acceptance of criticism, the expression of differing opinions, and the pursuit of truth. The exercise of academic freedom by faculty and students carries with it responsibilities for the good of the academic community and society.

B. Tenure of faculty is an indispensable condition for fulfilling the obligation of the University to maintain an atmosphere of academic freedom. Specifically, tenure is a means toward academic freedom in teaching, research, dissemination of information, and extramural activities. Tenure provides a sense of vocational security that helps attract to the University persons of competence in the advancement of knowledge.

C. Government in the University as in a state or a nation is best based upon principles rather than upon people.

D. The primary responsibility for the development and maintenance of the University's academic programs belongs to the faculty.

E. There must be faculty participation within the academic governance structure of the University, and student participation when deemed appropriate, for discussion of academic problems and policies at all levels within the University.

F. Faculty and student participation is fundamental to good faculty-student-administrator relations in a mature university.

G. It is recognized that all members of the University Community and the Trustees have legitimate concerns about all aspects of the University. It also is recognized that the primary concern of students is with learning and pursuing their courses of study; the primary concern of members of the faculty is with effective teaching and scholarly research or creative work; and the primary concern of administrators is to provide service and support to the students and the faculty, to protect the legal interests of the University, and to assure the implementation of the policies and procedures prescribed by the governing councils and agencies of the University.

H. This Academic Charter will apply to all Colleges within the University and shall pre-empt any other charter documents to the extent that they are inconsistent with the provisions herein.

I. To the extent that the Collective Bargaining Agreement between the University and the BGSU Faculty Association contains provisions in conflict with the Academic Charter, provisions of the Bargaining Agreement will prevail with respect to the parties to the Collective Bargaining Agreement. (Please see the Collective Bargaining Agreement.)

J. All academic Workload Policies shall be subject to review, modification and/or approval at the discretion of the Board of Trustees or its delegates.

## ARTICLE II: THE UNIVERSITY COMMUNITY

### SECTION A: MEMBERSHIP

*II.A*

The persons who create and maintain the University constitute the University Community. The Board of Trustees recognizes that there are five groups within this Community: students, faculty, administrators, administrative staff and classified staff.

### SECTION B: STUDENTS

*II.B*

All persons enrolled in the various instructional programs and courses of study offered by the University shall constitute the student body. The fact that a particular student also may be employed in either a supportive, instructional, or research capacity on a part-time basis does not preclude the student from being considered primarily a member of the student body.

Undergraduate students shall have the authority to establish an undergraduate student government (USG) to serve as their official representative body in accordance with the Undergraduate Student Body Constitution.

Graduate students shall have the authority to establish a graduate student government (GSS) to serve as their official representative body in accordance with the Graduate Student Senate Constitution.

Students also shall participate in the governance of the academic area of the University in accordance with the provisions set forth in this Charter.

### SECTION C: FACULTY

*II.C*

Faculty shall be composed of:

1. All persons holding full-time academic appointment or rank who are not administrators as defined in II.D;
2. All persons holding faculty contracts.
3. All persons holding faculty rank who serve on the staff of University Libraries.
4. Other Faculty Appointments
  - a) Adjunct faculty: A faculty member who provides instructional services to the University, but who is not regularly or continuously on the faculty. This person does not regularly receive a salary from the University, and the time accrued does not apply toward tenure. This category of faculty is also referred to as "Part Time Faculty" in the charter and in the CBA, and is not part of the Bargaining Unit.

- b) Professional associate: This title may be granted to a person who is approved by a college Dean and the VPAA and who makes regular contributions to the University other than instructional and whose affiliation with the University's instructional activities is largely ex officio.
- c) Procedures for recommendation may follow those established for Special Appointments documented in Article 14, section 2.4 of the Collective Bargaining Agreement.

Except as may be restricted by other provisions of this Charter, a member of the University faculty shall have one vote on all college- and University-wide ballots, in the appointment of representatives to the Faculty Senate and other college or University bodies, and shall count as one faculty member regardless of teaching, administrative, or research loads.

For purposes of eligibility to serve on and vote in elections for Faculty Senate, Senate Standing committees, and University Standing committees, faculty shall also include school directors, department chairs, program directors, and others holding faculty rank with no more than fifty percent of their contractual time assigned for administrative duties.

The responsibilities of the University faculty are effective teaching, scholarly or creative work, and service to the University and profession. The faculty shall have the authority to:

1. approve the awarding of degrees, including honorary degrees, given by the University;
2. establish an elective Faculty Senate, which shall serve as a representative body of the University faculty with authority and responsibilities described in IV;
3. exercise its right to review all actions of the Senate; and
4. participate and assist in various aspects of University governance in accordance with the provisions set forth in the various Articles of this Charter. *IV.C.2; IV.C.4; XIII.C.1, 3, and 4; and XIII.F.4.*

If need arises, meetings of the University faculty may be called by either the President or the Vice President for Academic Affairs (VPAA) or the Senate Executive Committee (SEC) or by petition to the SEC by five percent of the faculty. The Secretary of the Faculty Senate shall keep minutes of all such meetings of the University faculty and shall distribute copies to all members of the faculty. *IV.D.2.a)(3)* and *Faculty Senate Bylaws, Bylaws C*. The Office of the Faculty Senate shall be the official depository and reference center for all matters within the jurisdiction of the faculty, the Faculty Senate, and all Senate and University standing committees. Minutes of meetings and records of actions of these various Senate and University committees shall be available for perusal by any member of the University Community at any time during announced office hours.

SECTION D: ADMINISTRATORS

*II.D*

For the purposes of University governance as specified in this Charter, administrators shall include:

1. The President, Vice Presidents, Deans, Assistant Deans and Associate Deans of Colleges; Assistants to the President and Vice Presidents, statutory division heads and department heads, all individuals holding any position as “Dean”, “Chair” or “Director” or like title within the University system, and persons not otherwise defined as faculty in this Charter who are supervisors, professional employees, confidential employees or management level employees as those terms are defined in ORC 4117.01.

Faculty Administrators are not covered by the Collective Bargaining Agreement. Per past practice, their rights and responsibilities are articulated in their Faculty Administrator contracts and in policies and handbooks promulgated by the Division of Academic Affairs and the Office of Human Resources.

2. Faculty holding any administrative positions through presidential appointment at the central administration and collegiate levels regardless of the percentage of time of that assignment.

SECTION E: ADMINISTRATIVE STAFF

*II.E*

For the purposes of this Charter, all persons signing an Administrative Staff contract are members of the Administrative Staff, irrespective of present duties. (These persons do not hold academic rank.) The members of the Administrative Staff shall have the authority to establish an elective representative body known as the Administrative Staff Charter. The Administrative Staff shall have the opportunity to participate and assist in University governance in accordance with the provisions set forth in the various Articles of this Charter. *III.B, IV.F, and V.B.*

SECTION F: CLASSIFIED STAFF

*II.F*

For the purposes of this Charter, all employees of the University who are appointed to their positions by the Director of Personnel Support Services, acting as the appointing authority on behalf of the Department of Administrative Services of the State of Ohio, are members of the Classified Staff, whose representative body is known as the Classified Staff Council (CSC). *III.B.*

SECTION G: SHARED RESPONSIBILITIES

*II.G*

Certain responsibilities are shared in varying degrees by all of the basic groups of persons within the University Community. These include:

1. helping to define and further the missions and goals of Bowling Green State University (BGSU);
2. providing the means for interchange of information and ideas;
3. providing forums for the discussion of problems facing higher education in general and BGSU in particular;
4. providing opportunities for increased understanding of the University and the professional development of its staff through participation in the University's operation; and
5. reviewing and making advisory recommendations about the annual budget to be recommended to the Board of Trustees through the President.

## **ARTICLE III: THE PRESIDENT OF THE UNIVERSITY**

### **SECTION A: PRESIDENTIAL RESPONSIBILITIES**

**III.A**

The President of the University shall be the chief executive officer of the University. The authority, responsibilities, and duties of the President, as well as the procedures for the selection and evaluation of the President, shall be specified in *Article IV, Bylaws of the Board of Trustees. IV.C, XIII.C and D, and Bylaws of the Faculty Senate, Bylaw E.4.*

### **SECTION B: THE PRESIDENT'S PANEL**

**III.B**

The President's Panel shall be composed of the President, VPAA, the Chair and Vice-Chair of Administrative Staff Council, the Chair and Vice-Chair of Classified Staff Council, and one other administrator appointed by the President; the Chair, Vice-Chair, and Secretary of the Faculty Senate, and one other faculty member elected by the Faculty Senate from a list of nominees submitted to it by the SEC; three undergraduate students appointed by the Undergraduate Student Government, and one graduate student appointed by the Graduate Student Senate. The President's Panel shall be advisory to the President on matters concerning the welfare of the University and of the non-represented members of the University Community.

The President shall preside at the meetings of the President's Panel, which shall meet at the call of the President. The Panel shall meet with the President at least once each semester during the academic year. The President also shall convene special meetings of the Panel within ten class days after receiving a request to do so from a majority of the Panel. The Secretary of the Faculty Senate shall serve as Secretary of the President's Panel, shall keep and circulate minutes, and shall deposit them for permanent storage in the Office of the President upon their approval by the Panel. *IV.D.2.a)(3).*

## ARTICLE IV: THE FACULTY SENATE

### SECTION A: MEMBERSHIP

IV.A

Membership in the Faculty Senate shall be by election or by virtue of office. There shall be sixty-two Senators elected by and from the faculties of the degree-granting undergraduate colleges. This number can include both tenured/tenure-track faculty and full-time non-tenure track faculty. If a non-senator is elected Secretary, the senate's membership is automatically increased by one voting member. *IV.D.2.b)(3)*. The faculty from University Libraries shall have representation based upon one elected representative for each twenty-five members or fraction thereof. Additionally, retired faculty shall have one representative elected by retired faculty. This representative shall have retired from a full-time faculty position at BGSU, shall have served at BGSU for at least five years, and shall be available for Faculty Senate meetings. The retired faculty representative shall have all rights and privileges pertaining to membership on the Faculty Senate.

Ex officio Senators shall be the President, VPAA, Vice President for Student Affairs (VPSA), two graduate students appointed by the GSS, six elected officers of the USG, and one of the elected officers of the Firelands student body. The Board of Trustees may appoint ex officio Senators in its sole discretion. Additional ex officio seats in the Senate, up to a maximum of five, may be established upon the recommendation of the SEC, upon ratification by two-thirds of the total Senate membership, and upon approval by the Board of Trustees. Ex officio members shall exercise full rights of debate and voting in the Senate; they shall not, however, be eligible for election to Senate standing committees or to Senate offices.

After two full years of service at BGSU, any full-time faculty member (see Article II for definition of faculty member) shall be eligible to serve as an elected member of the Senate. The term of office for elected senate members shall be for three years, approximately one-third of the members to be elected annually. A senator who, through assignment to administrative duties, is ineligible for election to the Senate may continue to serve only until the next election. The two academic years of service must have been completed at the time of taking office and not at the time of the election.

Other than school directors, department chairs, program directors, and others holding faculty rank with no more than fifty percent of their contractual time assigned for administrative duties (*II.C*), who remain eligible to serve as members of Faculty Senate, a senator who accepts an appointment to be an administrator shall be immediately ineligible for continued senate membership. This section shall be effective on the first day of the Summer, 2011, academic semester.

### SECTION B: ELECTION PROCEDURES

IV.B

Nomination and election of Senators in each college or other unit shall be conducted by college councils or by special election officers elected by the eligible faculty members of the college or

other unit. All full-time faculty shall be eligible to vote in Senate elections. The Secretary of the Senate shall review the election procedure of each college or unit after each election to certify adherence to the provisions of this Charter. The Secretary of the Senate shall conduct the election in units having no elected council or special election officers.

With regard to the retired faculty representative, the Secretary of the Senate shall first seek nominees from the retired faculty and then conduct an election. All faculty retired from a full-time faculty position at BGSU shall be eligible to vote. Those with at least five years of service to BGSU shall also be eligible to be nominated. None of the above restrictions applicable to the nomination and election of senators from the undergraduate colleges shall apply.

The degree-granting undergraduate colleges shall handle nominations and election so that

1. each college shall be represented by a number of Senators in the same ratio to 62 as its total full-time faculty on contract was to the total faculty of all undergraduate colleges on September 1 of the preceding year;
2. each department and school unrepresented by continuing members of the Senate shall have at least one nominee for election to the Senate;
3. no department or school, when elections are completed, shall have more than one elected representative for each ten members of the department or school or fraction thereof. However, this rule shall be waived when the college fails to elect its allotted number of senators at its annual college election. Another college election with new nominees shall occur to fill the allotment. The new nominees may come from any department or school within that college.

#### SECTION C: SENATE AUTHORITY RESPONSIBILITIES AND FUNCTIONS

*IV.C*

Faculty Senate authority is subject to the terms of this Charter and is subordinate to the ultimate authority of the Board of Trustees. Faculty Senate action is determined by those Senators present and voting. Faculty Senate action that frames University academic policy or standards, except Charter amendments (*XIII*), requires a two-thirds vote of those Senators present and legally entitled to vote, excluding blanks or abstentions for approval; actions of recommendation or advice require a majority vote of those Senators present and legally entitled to vote excluding blanks or abstentions. *IV.D.1*. After the waiting period specified under the faculty right to review Senate action, the Secretary of the Faculty Senate shall transmit actions of the Senate to the President. *IV.C.4*, and *XIII.C.2 and 4*. The President shall transmit policies and standards, together with a written opinion thereon, to the Board of Trustees for action as deemed necessary. Policy or advising actions shall be forwarded by the Secretary of the Faculty Senate to appropriate persons within the University. Responses to Senate recommendations shall be transmitted in writing to the Secretary of the Faculty Senate within a reasonable time.

1. Policies and Standards Framing Authority of the Senate

*IV.C.1*

It is essential to the character and mission of a mature university that the faculty have the primary authority and responsibility to develop, sustain, and enhance the intellectual quality and reputation of the institution and maintain its academic integrity. The stature of a university is directly related to the quality of its faculty. The ability of a university to attract, develop, and retain a high quality faculty is dependent upon its economic policies, as well as its academic policies. In accordance with these principles, the Senate, as a representative body of the faculty and subject to the faculty's right to review, advise, and consent as set forth in IV.C.4 and XIII.B.3 and 4, is obligated through its policy and standards framing authority and by other means to promote to the fullest extent possible

- a) a climate of academic freedom for all faculty;
- b) equity and excellence with regard to all academic policies and standards;
- c) an optimal academic environment throughout the University;
- d) the definition and establishment of standards and procedures of accountability concerning professional faculty ethics and responsibilities.

## 2. Recommending and Advising Functions of the Senate

*IV.C.2*

The Senate has the discretion to offer recommendations and advice on issues germane to the academic function of the institution and to the welfare of its students. In accordance with this principle, the Senate, as a representative body of the faculty, and subject to the faculty's right to review and advise, has the authority to offer recommendations and advice on

- a) activities that promote professional growth and leadership development for faculty;
- b) the effective and efficient utilization of University resources, including faculty involvement in academic unit and University budgeting processes;
- c) a quality library, as well as quality instructional and research equipment, services, and facilities; and
- d) other academic functions as appropriate.

In addition the Faculty Senate may recommend the recognizing and honoring of qualified recipients for honorary degrees.

## 3. Other Functions of the Senate

*IV.C.3*

- a) The Senate shall elect members to certain advisory councils and committees, as specified in the appropriate sections of this Charter. Faculty members elected to such advisory committees shall be nominated by the Senate under the provisions of V.B.1 and 2. The Senate, through its Committee on Committees (Com/Com), shall appoint representatives to other committees and boards as requested.

b) The Senate shall have shared responsibility for periodic critical review and amendment of this Charter as conditions and needs demand in accordance with the procedure set forth in *IV.F.4.* and *XIII.*

c) The Senate shall advise about academic policy and advising areas not specifically assigned elsewhere, subject to the ultimate approval of the Board of Trustees.

#### 4. Faculty Right to Review Senate Action

*IV.C.4*

No action of the Senate shall be effective until fifteen class days after it has been distributed to the entire faculty. Any action of the Senate may be called into review within fifteen class days of publication of the action, either by the President or by a petition for review signed by at least ten percent of the tenured and probationary faculty. The President's notice or the petition shall be filed with the Secretary of the Faculty Senate. When any action of the Senate has thus been called for review, such action shall be subject to possible repeal or amendment by the tenured and probationary faculty.

The Process shall be as follows:

a) An ad hoc review committee, composed of three tenured or probationary faculty members, shall be established by the SEC within five class days after notice by the Secretary of the Faculty Senate.

b) Within three class days after formation by the SEC, the ad hoc review committee shall notify the tenured and probationary faculty of the review, procedures, and deadlines, and shall request pertinent information. Within fifteen class days after formation by the SEC, the ad hoc committee shall present all arguments to all tenured and probationary faculty. The ad hoc committee shall be bound to present any argument that any faculty member desires presented, provided that the argument is presented in writing to the ad hoc committee within ten class days of the committee's formation.

c) A minimum of thirty class days shall elapse after the ad hoc committee is formed before a vote on the issue shall be taken. The vote shall be of the tenured and probationary faculty. By a majority of those voting, the tenured and probationary faculty may repeal Senate action or pass motions that the Senate has defeated, provided that this majority constitutes more than thirty-five percent of the tenured and probationary faculty.

d) The Senate shall be bound by any faculty review of its actions. Once a review vote by the faculty has failed to endorse an action of the Senate, no issue with the same intent, spirit, or effect as the defeated issue shall be considered by the Senate for one year following the faculty vote. However, the issue may be resubmitted to the Faculty during this period at the request of two-thirds of the Faculty Senate.

#### 5. Board of Trustees Review and Ratification of Senate Action

*IV.C.5*

The Board of Trustees retains the ultimate authority to determine all the policies of the University.

SECTION D: SENATE MEETINGS, OFFICERS, AND PROCEDURES

*IV.D*

1. Senate Meetings

*IV.D.1*

Regular meetings of the Senate shall be held monthly during the academic year. Special meetings of the Senate may be called with proper notification of the membership

a) by a majority vote of the SEC; or

b) by a written request directed to the Senate Chair from any ten faculty members, such written request to state explicitly the matter proposed for Senate consideration. Upon approval by a majority of the SEC, the matter proposed shall then become the first order of business at a special meeting of the Senate; without such approval, the matter proposed shall become an item of new business at the next regular meeting of the Senate.

Meetings of the Senate shall be presided over by the Senate Chair. In the absence of the Chair, the Vice-Chair shall preside. Except for the Order of Business, which shall be stated in the Bylaws of the Faculty Senate, Bylaw A, Senate proceedings shall be governed by Robert's Rules of Order, Revised.

At the beginning of the first session of summer school, the Senate Chair, in consultation with the other officers of the Senate, shall appoint a parliamentarian for a one-year term of office. The parliamentarian must be a faculty member as defined in Article II.C of the Academic Charter and must possess a demonstrated knowledge of parliamentary procedure. The duties of the parliamentarian are stated in the latest edition of Robert's Rules of Order, Revised.

A Senate quorum shall consist of one more than one-half of the total membership. Faculty Senate action that frames University policy or standards, except Charter amendments, requires two-thirds vote of those Senators present and legally entitled to vote, excluding blanks or abstentions, for approval; actions of recommendation or advice may be adopted by a simple majority of those Senators present and legally entitled to vote excluding blanks or abstentions. *IV.C.*

2. Officers of the Senate

*IV.D.2*

a) Functions

The Officers of the Senate shall provide leadership to the faculty in all academic governance matters. They shall represent the faculty and the SEC as an interim body during the summer and any holiday breaks when action is immediately necessary. They shall recommend to the SEC the agenda for Faculty Senate meetings. They shall be responsible for the operation of the Faculty Senate office and shall review the operating procedures at least annually.

In addition, each officer shall perform the duties specified for such office, as follows:

(1) Chair. The Chair shall be the representative of the faculty to, and the faculty liaison with, the VPAA, the President, and the Board of Trustees.

The Chair shall monitor the work of all Senate committees, with the exception of Com/Com.

The Chair shall perform the usual duties of a Chair, including presiding at faculty meetings, the Faculty Senate, and the SEC, and arranging the Joint SEC/President meetings. The Chair prepares jointly with the VPAA the agenda for the SEC/VPAA Joint Conference and has the authority to call a special meeting of the Conference.

(2) Vice-Chair/Chair-Elect. The Vice-Chair shall regularly review the minutes of the University standing committees and any appropriate ad hoc committees established by the SEC and bring to the attention of SEC any pertinent actions, highlighting the ongoing work of the committees as well as designating those committees that are to report at SEC and Faculty Senate meetings. In the event that a University Standing Committee has not met within the first four weeks of the fall semester, the Vice-Chair, at the request of the Com/Com, shall convene the committee. During this meeting, committee members shall elect a chair, when necessary, review their charge, and establish a schedule of regular meeting times. *V.B.6.*

The Vice-Chair shall be the SEC liaison with Com/Com and shall work directly with Com/Com in performance of its duties. *IV.F.3.a).*

The Vice-Chair shall serve as Chair of the VPAA/SEC Joint Conference. *IV.G.* If the Chair is unavailable to preside at an SEC meeting or a Senate meeting, the Vice-Chair shall perform the duties of the Chair.

(3) Secretary. The Secretary shall record minutes at meetings of the general faculty and SEC, as well as the Faculty Senate, joint meetings of SEC with the President or VPAA, the President's Panel, and similar faculty meetings, if other provisions are not made for recording of minutes. The Secretary shall be responsible for preparation and distribution of the minutes within ten class days following the meeting. *Faculty Senate Bylaws, Bylaw C.*

The Secretary shall be responsible for all correspondence necessitated by action of the Senate and all other meetings cited above.

In conjunction with Com/Com, the Secretary shall oversee all Senate Committee and Senate elections, and shall oversee the elections of the faculty positions on University Standing committees.

The Secretary shall keep attendance records of Senate meetings and notify the Senators within five class days of the second absence and possible loss of Senate seat. *Bylaws of the Faculty Senate, Bylaw H.*

The Secretary of the Faculty Senate shall preside at meetings of the VPAA/SEC Joint Conference in the absence of the Vice-Chair of the Senate.

b) Election and Term of Office

(1) The Officers of the Senate shall be elected from the Senate membership by the faculty members of the Senate. Each Officer shall serve for a one-year term, with the Vice-Chair becoming Chair of the Senate for the year following the year's service as Vice-Chair. Officers take office immediately following the spring commencement.

(2) At the time of the annual election of the Senate Officers, each candidate shall be serving, or be newly elected to, a Senate term that has at least a year's duration from date of election to the office. Should the Senate membership of a Vice-Chair/Chair-Elect expire before he or she assumes the chair, his or her Senate membership shall automatically be extended for one year. This one-year term shall not be included in the allocation of Senate representatives, and Senate membership is automatically increased by one voting member.

(3) The Secretary shall be eligible for re-election. If no Senator is willing to serve as Secretary, Com/Com shall propose a slate of nominees from the University faculty for balloting by the faculty members of the Senate. If a non-Senator is elected Secretary, the Senate's membership is automatically increased by one voting member, but this membership is not included in the allocation of Senate representatives.

(4) Voting shall be conducted by secret and written ballot at a regularly scheduled meeting of the Faculty Senate. The votes for Vice-Chair, Chair-elect and Secretary shall be immediately tallied by the Committee on Committees. In the event of a tie vote for either position there shall immediately be one or several re-votes taken until one candidate has achieved a majority (50% plus 1) of the votes of all Faculty Senators present and eligible to vote. In the event where there are more than two candidates, resulting in a situation where no candidate receives a majority (50% plus 1) of the votes of all Faculty Senators present and eligible to vote, a run-off election shall immediately be held between those two candidates that initially received the most votes.

(5) In order to provide leadership in the Senate and to carry out the duties of the offices:

(a) the Chair shall be released from one course each semester to facilitate information and action items for review and endorsement by the SEC and the Senate; plan and facilitate the SEC and Senate agendas; represent faculty at various events including constituent group meetings, President's Panel, and Board of Trustees' meetings; prepare reports to the Board of Trustees; serve as budget administrator for the Faculty Senate Office; and supervise Faculty Senate office staff.

(b) the Vice-Chair/Chair-Elect shall be released from one course per year to serve as liaison between SEC and Com/Com; plan and facilitate the SEC/VPAA Joint Conference; and attend Board of Trustees' meetings.

(c) the Secretary shall be released from one course each semester to facilitate processing written minutes for meetings of the Faculty Senate, SEC, SEC/VPAA Joint Conference, and the President's Panel; and transmitting information and action items and other Senate correspondence to appropriate administrative offices.

A policy for maintaining an equitable workload reduction for Faculty Senate Officers is necessary not only to adequately compensate Senate leadership, but also to appropriately sustain the efficient administration of the Faculty Senate. The compensation structure above is meant to serve as a guideline. Other models, such as those including overload pay and different combinations of course releases taken in a given semester, will be reviewed by the Office of the Provost, in consultation with the faculty member, Department Chair/School Director, and Dean, on a case-by-case basis.

(6) Provisions for vacancies among Senate Officers are made in the Bylaws of the Faculty Senate, Bylaw E.

### 3. Senate Business During the Summer

*IV.D.3*

During the summer, the Officers of the Senate may call the SEC into special session, and the SEC shall be empowered to call special meetings of the Senate during the summer when no provision is made for scheduled meetings. Such meetings shall be called only to deal with unusual and unanticipated problems and situations. For the official transaction of business a quorum must be present.

When Senate Committees or University Standing Committees are presented with urgent business during their summer recess, SEC will act on behalf of the committee in consultation with the committee's Chair and/or available members of the committee.

### SECTION E: ATTENDANCE AT SENATE MEETINGS

*IV.E*

Attendance at all Senate meetings shall be the responsibility of each Senator. A Senator may accumulate no more than two unexcused absences in one academic year for regularly scheduled meetings or two unexcused absences in one academic year for on-call or specially called meetings of the Senate.

An excused absence for a Senator will be granted in these cases:

1. A designation of an alternate representative to attend the particular meeting.
  - a) Alternates may be designated for up to two meetings per academic year.

- b) Faculty eligible to serve as an alternate shall have the same qualifications as faculty eligible to run for a Senate seat (*Charter, Article IV.A*) and in addition shall be from the same college as the Senator requesting a replacement.
  - c) Alternates shall have the full rights of discussion and voting.
  - d) If a designated alternate does not attend the meeting, the Senator's absence is unexcused.
2. Personal or family emergency accepted by SEC
- a) In cases of personal or family emergencies that prevent a Senator from attending a meeting, the Senator must inform SEC of her/his justification within 30 calendar days of the missed Senate meeting.
  - b) Emergencies include but are not limited to personal illness, family emergencies, and inclement weather.
3. In cases of long-term absences such as FIL, long-term illness. Or class conflict, a Senator shall make arrangements with SEC to confirm alternate representation.

When absences of a Senator exceed the limitations stated above, SEC shall first consult the Senator regarding her/his absences; if the Senator has justifiable reasons for her/his absences, the s/he shall be allowed to remain on the Senate for the remainder of her/his term; otherwise, the SEC shall declare the seat vacant. Any Senator whose membership has been so terminated may appeal the ruling to the SEC within thirty calendar days and the SEC is authorized to issue attendance waivers for good cause.

Nonmembers of the Senate may participate in Senate meetings only by invitation of the Chair or the SEC, or by majority vote of the Senate, but such participation does not include voting privileges.

#### SECTION F: COMMITTEES OF THE SENATE

*IV.F*

The business of the Senate shall be conducted largely through Senate standing and appropriate ad hoc committees. Faculty members of the Senate committees are elected by the faculty members of the Senate. Membership on a Senate committee, as a Senate representative, ceases with the termination of the Senate membership. Any standing committee of the Senate may appoint, on a short-term basis, subcommittees to help it in its gathering of information or deliberations. Such a subcommittee shall report to the committee that established it. Faculty, staff and students may be appointed as consultants to appropriate committees; those designated as consultants do not have voting privileges.

Attendance at all committee meetings is the responsibility of each member. A member may send a substitute to a meeting in order to avoid an absence. Committees shall establish attendance policies at the beginning of each academic year based on the following:

a) For committees that plan to meet once a month or less during the academic year, two absences are permitted before a warning is sent by the Chair of the committee. After the third absence, the Chair shall declare the seat vacant.

b) For committees that plan to meet two or three times a month during the academic year, four absences are permitted before a warning is sent by the Chair of the committee. After the fifth absence the Chair shall declare the seat vacant.

c) For committees that plan to meet four or more times a month during the academic year, six absences are permitted before a warning is sent by the Chair. After the seventh absence the Chair shall declare the seat vacant.

When the seat is declared vacant, the Chair of the committee shall notify the affected member. The member shall have ten class days from receipt of the notice to appeal the decision of the Chair, based on the ground that one or more of the absences were excusable. The written appeal shall be filed with the Chair and shall state the reasons why the absences were excusable.

The committee shall decide whether to sustain or overturn the Chair's decision. If the committee supports the Chair's decision by a majority vote (excluding the Chair's and affected member's votes), the Chair shall inform the affected member and his or her dean, director, chair or supervisor and request a replacement from the appropriate constituent governance groups.

Deliberation of items in committee may be initiated from within the committee or by requests from constituent bodies or individuals in accordance with the 'Functions' section for each standing committee (below), or as charged by the Senate Executive Committee (SEC) to ad hoc committees created under IV.F.1.b)(2). Deliberations must be concluded, and appropriate reporting made to the SEC or other specified body, within ninety (90) calendar days of the onset of deliberations or the delivery of charge, whichever comes first. Reports may take one of three forms:

- a) full support, with appropriate recommendation for further action;
- b) full opposition, with a recommendation that the item receive no further consideration as presented;
- c) mixed and inconclusive evaluation, in which event the committee's full range of positive and negative concerns shall be articulated concisely in a written report to the receiving committee (SEC or other as indicated in the Charter).

Under special circumstances, the Chair of a standing or ad hoc committee may request an additional 30 calendar days be granted in order to conclude still-outstanding issues. That request shall be communicated to the SEC with a short summary of the issues at least fifteen (15) calendar days prior to the 90-day time frame, along with a concise explanation of the points of agreement and the contested points to be resolved within the extension.

In the interests of the efficiency of faculty governance, no issue before a committee may be held beyond one hundred and twenty (120) calendar days. Issues for which no report is received at the end of the 120-day period will be referred to SEC or the Faculty Senate as appropriate.

Com/Com shall appoint a faculty member who is eligible to be elected to serve in place of any elected faculty member who is unable to serve on a Senate standing committee for a period of at least one but no more than two semesters. If the vacancy exceeds a year, the remaining term of the membership shall be filled by election at the regular time of elections.

To establish a quorum for the purpose of conducting business, the committee must have in attendance a majority of those members who: (A) have been duly elected or appointed; (B) are qualified to serve and have begun serving by attending at least one meeting; and (C) have neither resigned nor been removed from the committee. The determination of whether a member has begun serving shall be made initially at the beginning of each academic year.

The Chair of a Faculty Senate standing committee shall be a current or a newly elected member of the committee; ex officio members of Senate standing committees shall not serve as chairs of Senate standing committees. The committee (except SEC) elections for Chair or Vice Chair shall be held in April or May before commencement and after the election results to fill committee vacancies have been announced. Newly elected members shall begin their membership immediately after spring commencement. All members shall have full voting rights.

#### 1. Senate Executive Committee (SEC)

*IV.F.1*

##### a) Membership

The SEC shall be composed of twelve members:

- (1) The Chair, the Vice-Chair, and the Secretary of the Faculty Senate;
- (2) Seven Faculty Senators elected by and from the Faculty Senators for two-year terms, provided that each of the degree-granting undergraduate colleges and the graduate college are represented by at least one elected member and that three terms expire each year;
- (3) An Undergraduate student appointed by the USG; and
- (4) A Graduate student appointed by the GSS.

The SEC extends a standing invitation to the chair or designee of the Amendments and Bylaws Committee, the Committee on Academic Affairs, the Committee on Professional Affairs, and the Fiscal Affairs Advisory Committee. Attendance is not a mandatory requirement and those representatives will not have voting privileges on the SEC.

##### b) Functions

SEC shall

- (1) be responsible for the business of the Senate and receive reports and recommendations from Senate standing committees;
- (2) create at any time advisory ad hoc committees to further the business of the Senate, determine their size and duties, and discharge said committees, the members of which shall be appointed by Com/Com without reference to Senate membership;
- (3) set the agenda for Faculty Senate meetings; participate in the SEC/VPAA joint conference; participate in the President/Joint Conference on charter interpretations/violations; review proposed charter amendments, and approve proposed editorial changes in the charter; IV.G, XIII.B, C, D, and E.
- (4) declare a seat vacant in Senate resulting from more than two absences as defined in IV.E or grant a waiver to a senator when good cause is shown for missing more than two regular Senate meetings or for missing more than two on-call or specially-called meetings; *IV.E*.

## 2. Committee on Academic Affairs (CAA)

*IV.F.2*

### a) Membership

The CAA shall be composed of:

- (1) one faculty member from each undergraduate college, at least three of whom shall be Senators, elected for three-year staggered terms, one of whom shall be selected by CAA to serve as CAA Chair for one year (these faculty are exclusive of those named in (2) and (3) below);
- (2) one faculty representative from the Undergraduate Council selected by the Council for a two-year term;
- (3) one faculty representative from the Graduate Council selected by the Council for a two-year term;
- (4) one undergraduate student appointed by the USG for a one-year term, who may be reappointed;
- (5) one graduate student appointed by the GSS for a one-year term, who may be reappointed;
- (6) the VPAA, who shall serve as an ex officio member with the right to vote.

### b) Functions

The CAA shall:

- (1) Monitor all curricular and academic matters as well as all major changes in academic regulations and policies;
- (2) Reviews and comments on the actions of Undergraduate and Graduate Councils to SEC for consideration by Faculty Senate (the CAA does not reject any actions of the Undergraduate and Graduate Councils, but is a review and facilitating mechanism);
- (3) Recommend to SEC those actions that should be referred to the Faculty Senate for curricular and academic policy consideration;
- (4) Report regularly to the Faculty Senate on curricular and academic issues discussed and the actions recommended to SEC;
- (5) In collaboration with the Fiscal Affairs Advisory Committee (*IV.F.6*), be responsible for the formation of a statement of the curricular and academic priorities and objectives of the University which shall then be used in the process of planning and building a non-binding recommendation for the budget for the academic area of the University for the subsequent year;
- (6) Make recommendations regarding the calendar of the University;
- (7) Advise the VPAA on disagreements over academic matters arising between Graduate and Undergraduate Councils or between colleges;
- (8) Conduct studies, upon request of Faculty Senate, and submit recommendations based on these studies for Senate consideration on subjects relating to the curricula and programs of the University;
- (9) Request, at its discretion, the Undergraduate and Graduate councils to make recommendations, which shall be advisory on any of the foregoing matters;
- (10) Discuss each year with the President the annual evaluation of the VPAA (*VI.C*);
- (11) Bring to the Faculty Senate, for discussion and action, general curricular and academic matters by either of the following procedures:
  - (a) the CAA may forward curricular and academic recommendations to the Chair of Faculty Senate, who, in conjunction with SEC, may decide to place them on the Senate agenda; or
  - (b) the CAA may recommend any issue directly to the Senate with a written request for discussion and action signed by ten members of the Faculty Senate; and

a) Membership

Com/Com shall be composed of nine members:

(1) five faculty Senators, elected for the three-year terms by the faculty members of the Senate from a slate of candidates prepared by the SEC in such a manner that:

- (a) not more than two terms shall expire simultaneously;
- (b) at least three degree-granting colleges are represented at any one time;

(2) three student members:

- (a) one graduate student appointed by the GSS; and
- (b) two undergraduate students appointed by the USG.

(3) the Vice-Chair of the Faculty Senate shall serve in an ex officio capacity as the SEC liaison with Com/Com.

b) Functions

Com/Com shall

(1) prepare the slates of nominees for

(a) Senate Offices, committees of the Senate, and elected faculty positions on University Standing Committees, except for the slate of five faculty members to be elected to Com/Com which SEC will prepare, *V.B.*; and

(b) Secretary to the Faculty Senate from University faculty in the event no Senator is willing to serve as Secretary. *IV.D.2.b) and V.B.*

(2) appoint members of advisory ad hoc committees established by the SEC.

(3) develop the composition, functions, and duties for new or existing advisory committees when deemed appropriate or when assigned the responsibility by the SEC. The composition, powers, functions, and duties of new or existing committees as proposed by Com/Com shall be approved by the SEC for Senate standing committees and by SEC and the President. *V.A. and V.B.3.*

(4) propose and/or review all changes in the composition, functions and duties of Senate and University advisory committees and forward the changes to the SEC and the President for approval. *V.B.6.*

(5) request a variance from the SEC if Com/Com cannot identify sufficient faculty willing to serve on a committee whose membership is designated in the charter; and

(6) review the annual report and minutes of each advisory university committee.

(7) Together with SEC will review each University Standing and Advisory Committee's activity and continued relevance and make appropriate recommendations to the VPAA or the VPAA's designee and the University President about whether the President should maintain, modify or discontinue the committee.

#### 4. Committee on Amendments and Bylaws

*IV.F.4*

##### a) Membership

The committee on Amendments and Bylaws shall be composed of five members serving three-year terms:

- (1) three faculty Senators elected by the faculty members of the Senate; and
- (2) two faculty members, who may or may not be Senators, elected by the faculty members of the Senate.

##### b) Functions

The Committee shall

- (1) Receive and/or initiate proposed amendments to the Charter or its Bylaws and report such proposed amendments affirmatively, negatively, or without comment to the Faculty Senate. In the case of a proposed amendment not initiated by the Committee, it shall be the duty of the Committee to word the proposed amendment so that it is consistent with the Charter, but does not alter the intent of the proposal; and
- (2) receive and/or initiate proposed editorial changes to the charter and report such changes affirmatively, negatively, or without comment to the SEC, which acts upon them; and
- (3) receive interpretations of the charter and incorporate the interpretations into the charter consistent with the language of the Charter, and forward such proposals to the Faculty Senate, following the procedures outlined above. *XIII.B.1 and 2 and XIII.D.*

#### 5. Committee on Professional Affairs (CPA)

*IV.F.5*

##### a) Membership

The Committee on Professional Affairs shall be composed of twelve members:-

- (1) Six members shall be elected by the Faculty Senate to serve staggered three-year terms.

- (2) Two members shall be appointed for one-year terms by the Senate Executive Committee.
- (3) One member within his/her first four years at BGSU shall be appointed for a one-year term by Com/Com.
- (4) There shall be one member selected by the Undergraduate Student Government and one member selected by the Graduate Student Senate.
- (5) There shall be one additional, ex officio, nonvoting member appointed by the president to come from the administration.
- (6) A nonvoting representative shall be invited from each of the following organizations: Administrative Staff Council, Classified Staff Council, and the BGSU Retirees Association.
- (7) In addition:
  - (a) at least one newly elected member shall be a faculty senator, and
  - (b) at no time shall there be more than two members who are faculty members from any given academic unit.

b) Functions

The purpose of the Committee on Professional Affairs is to focus on issues external to the University that affect the profession of teaching and research, and the value and mission of higher education in society. Specifically, the CPA shall:

- (1) Perform an advisory function to the Faculty Senate about important developments related to the professional role of educators in society, at the local, state, and national level.
- (2) Perform an educational role to the faculty and to the university community at large about professional issues that affect educators.
- (3) Advise and assist the Faculty Senate with media and governmental affairs relationships.
- (4) Work cooperatively with the administration and other campus constituency groups to conduct outreach to the general public and to local, state, and national officials on behalf of higher education.
- (5) Initiate studies, or conduct studies at the request of the Faculty Senate, on issues relevant to professional affairs.

(6) Receive suggestions or requests, initiate consideration, and make recommendations to the SEC on issues relevant to professional affairs.

6. Fiscal Affairs Advisory Committee (FAAC)

*IV.F.6*

a) Membership

The FAAC shall be composed of eleven members:

(1) Seven faculty members, who may or may not be Senators, elected for three-year terms by the faculty members of the Senate so that approximately one-third are new each year and with the following restrictions:

(a) membership shall be constituted so that the elected faculty members on the FAAC represent each of the seven undergraduate colleges, including BGSU Firelands;

(b) members shall not be members of departmental, school, or collegiate operating budget committees; and

(c) a member may serve no more than two successive terms; one academic year shall elapse after the second term before a faculty member shall again be eligible for service on FAAC

(2) Two student members whose terms are recommended to be two years and selected as follows:

(a) one graduate student appointed by the GSS, and

(b) one undergraduate student appointed by the USG.

(3) One faculty representative, selected by the BGSU Faculty Association.

b) Functions

The FAAC shall:

(1) Examine all fiscal affairs of the University;

(2) Through hearings or other techniques, obtain information from appropriate sources, including the university administration, regarding university income and expenditures and all other items of budgetary concern, including projected and actual budget reports;

(3) Review resource impact analyses of academic program, unit, and policy proposals prepared and presented by the Vice President for Finance and Administration (VPFA)

and proposal initiators; the review and the impact analysis shall accompany any proposals as they are considered by the appropriate governance units in the approval process;

(4) Offer advice to the Faculty Senate and university administration on fiscal priorities for short-term and long-term academic programming.

(5) Each year, select one of the faculty members on FAAC to serve as a non-voting liaison to the Committee on Academic Affairs (CAA). *IV.F.2.*

No functions listed here shall supersede any authority possessed by the BGSU Faculty Association, in its role as the exclusive representative of the faculty for negotiations on wages, hours, terms, and conditions of faculty employment.

#### 7. Ohio Faculty Council Delegation

*IV.F.7*

Membership of the Bowling Green State University delegation to the Ohio Faculty Council shall be comprised of the current Chair of Faculty Senate, ex officio; the current Vice-Chair of Faculty Senate, ex officio; and one alternate member elected on an annual basis by vote of the Faculty Senate.

At least one member of the delegation shall attend each monthly meeting of the Ohio Faculty Council in Columbus during the academic year; all three delegates are encouraged to attend any and all such meetings as their schedules permit.

The Vice-Chair will serve two consecutive terms, first as Vice-Chair and then as Chair. The elected alternate delegate may serve one or more additional year(s) through re-election.

Election of the alternate delegate will be conducted by the Committee on Committees as part of the regular Senate elections during the spring semester. Candidates for the position of alternate delegate must meet the eligibility requirements set forth by the Ohio Faculty Council.

### SECTION G: THE VPAA/SEC JOINT CONFERENCE

*IV.G*

#### 1. Membership

*IV.G.1*

The VPAA/SEC Joint Conference shall be composed of thirteen members:

- a) the VPAA, and
- b) the members of the SEC.

#### 2. Organization

*IV.G.2*

- a) The Vice-Chair of the Faculty Senate shall serve as the Chair of the Joint Conference;

- b) The Secretary of the Faculty Senate shall preside at meetings of the Conference in the absence of the Vice-Chair of the Senate;
- c) The Chair of the Faculty Senate and the VPAA shall share responsibility for planning the agenda of the meetings, and either the Chair of the Faculty Senate or the VPAA may call a special meeting of the Conference; and
- d) The Conference shall meet monthly during the academic year.

### 3. Functions

### *IV.G.3*

The Joint Conference shall serve as a forum for the exchange of views and opinions on current or long-range issues related to the academic welfare of the University and as a means for the exchange of opinion and guidelines and procedures for administrative implementation of University academic policies within the province of the Faculty Senate. Either the SEC or the VPAA may invite other persons to attend when their participation can make substantive contributions to the discussions of the Joint Conference.

## ARTICLE V: UNIVERSITY COMMITTEES

### SECTION A: GENERAL PROVISIONS

V.A

The faculty, together with other members of the University Community, shall participate in the governance of the University through membership on standing and ad hoc committees. The charge to each committee shall include provisions for its establishment, composition, method of selection, terms of office, functions, and discontinuance. The function of any senate, standing, or ad hoc committee shall be advisory only. The President or the President's designee may in his or her discretion and in consultation with the SEC maintain, modify or eliminate standing committees assigned to non-curricular or academic programming matters. Any changes in the charge of the committees that involve curricula or academic programs shall be advised by Com/Com, and the SEC. The President of the University or the President's designee may accept, modify or reject the proposed change.

### SECTION B: UNIVERSITY STANDING COMMITTEES

V.B

#### 1. Membership

V.B.1

Each University standing committee shall include at least three elected faculty members eligible for election to the Faculty Senate. To encourage early participation in University governance, Com/Com shall appoint one faculty member who is in the first four years of appointment at BGSU. Students shall participate in University governance according to provisions of this document.

All elected, appointed and *ex officio* members of University standing committees shall have full voting rights. V.B.3. Students, staff and faculty may be appointed as consultants to appropriate committees, or have other membership status as set forth in the charge and membership of the committee. Those designated as consultants do not have voting privileges.

Elected faculty members shall serve for three-year terms and shall not be eligible for reelection until at least one year has elapsed after the expiration of their respective terms of office unless a variance is granted by Com/Com. IV.F.3.b). Appointed members shall serve for one year, but shall be eligible for reappointment for up to two additional years. When a committee is formed, Com/Com shall establish staggered terms to provide committee continuity. Elected faculty members shall assume membership following the spring commencement of the academic year.

Com/Com shall appoint a faculty member who is eligible to be elected to serve in place of any elected faculty member who is unable to serve on a University standing committee for a period of at least one but no more than two semesters. If the vacancy exceeds a year, the remaining term of the membership shall be filled by election at the regular time of elections.

#### 2. Attendance

V.B.2

Attendance at all committee meetings is the responsibility of each member. A member may send a substitute to a meeting in order to avoid an absence. Committees shall establish attendance policies at the beginning of each academic year based on the following:

- a) For committees that plan to meet once a month or less during the academic year, two absences are permitted before a warning is sent by the chair of the committee. After the third absence, the chair shall declare the seat vacant.
- b) For committees that plan to meet two or three times a month during the academic year, four absences are permitted before a warning is sent by the Chair of the committee. After the fifth absence the Chair shall declare the seat vacant.
- c) For committees that plan to meet four or more times a month during the academic year, six absences are permitted before a warning is sent by the chair. After the seventh absence the Chair shall declare the seat vacant.
- d) These rules shall not apply to *ex-officio* members of the standing committees.

When the seat is declared vacant, the Chair of the committee shall notify the affected member. The member shall have ten class days from receipt of the notice to appeal the decision of the Chair, based on the ground that one or more of the absences were excusable. The written appeal shall be filed with the Chair and shall state the reasons why the absences were excusable.

The committee shall decide whether to sustain or overturn the Chair's decision. If the committee supports the Chair's decision by a majority vote (excluding the Chair's and affected member's votes), the Chair shall inform the affected member and his or her dean, director, chair or supervisor and request a replacement from the appropriate constituent governance groups.

### 3. Formation of Standing Committees by Petition

V.B.3

Any faculty member, administrator, or recognized University organization may formally petition Com/Com that a University standing committee be established. The formal petition shall include

- a) a statement of the need for;
- b) a description of the objectives and duties of; and
- c) the composition of the proposed committee.

If deemed appropriate, Com/Com, with the approval of the SEC, shall establish the committee in accordance with procedures specified in V.A. The President of the University or the President's designee may accept, modify, or reject the proposed committee.

### 4. Organization of Standing Committees

V.B.4

Each standing committee shall elect a Chair in April or May before commencement after the election results to fill committee vacancies have been announced or request that one be appointed by Com/Com. The Chair shall be a current or newly elected or appointed member of the

committee excluding *ex officio* members or any member to whom the committee reports or renders advice. Chairs of ad hoc committees shall normally be designated at the time of appointment of the members. To establish a quorum for the purpose of conducting business, the committee must have in attendance a majority of those members who: (A) have been duly elected or appointed; (B) are qualified to serve and have begun serving by attending at least one meeting; and (c) have neither resigned nor been removed from the committee.

The determination of whether a member has begun serving shall be made initially at the beginning of each academic year.

#### 5. Responsibilities of Standing Committees

V.B.5

The Committee Chair shall have the responsibility of seeing that accurate minutes are kept of each meeting of the committee and that a copy of these minutes is filed in the Faculty Senate Office. The Chair of each committee also shall prepare an annual report and submit it to the President of the University, the Secretary of the Faculty Senate, Com/Com, and any other appropriate official, body, or committee.

When University Standing Committees are presented with urgent business during their summer recess, SEC will act on behalf of the committee in consultation with the committee's Chair and/or available members of the committee.

#### 6. Review and Discontinuance of Standing Committees

V.B.6

The annual report and the minutes of each standing University committee shall be reviewed at least annually by Com/Com and the Vice-Chair of the Faculty Senate to determine whether the standing committee's functions and duties are being fulfilled, whether its composition or membership should be adjusted, and whether its continuance is desirable. Subject to the requirements of Section V.A above, Com/Com and the Vice-Chair together may, after investigation and consultation with members of the committee under review, recommend discontinuance or modification of the committee to the SEC, who will then work with the VPAA or the VPAA's designee and the President of the University. The committee in question may itself make recommendations regarding its own modification or discontinuance.

### SECTION C: UNIVERSITY AD HOC COMMITTEES

V.C

University ad hoc committees that have elected faculty members and that continue beyond two years shall petition SEC to become University standing committees or shall be disbanded. Once a University ad hoc committee has been formed, a membership list and the charge of the committee shall be sent to the Secretary of the Faculty Senate.

**ARTICLE VI: THE SENIOR VICE PRESIDENT FOR ACADEMIC AFFAIRS AND  
PROVOST (VPAA)**

SECTION A: THE OFFICE OF THE SENIOR VICE PRESIDENT FOR ACADEMIC  
AFFAIRS AND PROVOST VI.A

The VPAA shall have the overall responsibility for the operation and development of the academic areas within the University insofar as this responsibility is delegated by the President and the Board of Trustees through its Bylaws.

SECTION B: RESPONSIBILITIES OF THE VPAA VI.B

The VPAA, after appropriate consultation with the various representatives of the University Community, shall:

1. serve as educational leader for the faculty and the administrators of academic areas;
2. serve in planning, developing, and maintaining the quality of all the instructional and research programs of the University; including oversight of a systematic process of program review;
3. compile, update, and distribute statements of academic policies, procedures, guidelines, and regulations;
4. be responsible for effective and efficient utilization of instructional resources by specific units;
5. serve as coordinator of the appointment and evaluation of academic personnel as set forth in the collective bargaining agreement with the BGSU Faculty Association and in other Articles of this Charter.
6. select and evaluate, with faculty participation, the quality of performance of administrators who report to the VPAA and serve University wide (e.g., Associate/Assistant Vice President);
7. maintain harmonious relationships within the academic areas of the University through communication, including meetings with various councils and committees and the publication of a list of the academic area staff and their assignments; and
8. serve as follows:
  - a) member *ex officio* of the Faculty Senate with the right to vote, except where excluded; IV.B. and F.
  - b) member of the VPAA/SEC Joint Conference, with the duty of preparing jointly with the Chair of the Faculty Senate the agenda of the Conference and with the authority to call a special meeting of the Conference; IV.G.

- c) Chair of the Undergraduate Council, *ex officio* without vote; *IX.E.1.a)*
- d) member *ex officio* of the Graduate Council without vote; *VIII.D.1.b)*
- e) Chair of the Council of Deans; *VI.D.*
- f) member *ex officio* of the CAA with the right to vote, utilizing the CAA in an advisory capacity; *IV.F.2.a)(6)*
- g) Chair of the UBC
- h) Chair of Academic Reconfiguration Committees (ARC).

SECTION C: EVALUATION OF THE VPAA

*VI.C*

The President shall, as a standard procedure, complete an annual evaluation of the administration of the VPAA. This evaluation need not be formal; rather, it may have the character of an informal dialogue. It shall include separate discussions with both the SEC and CAA.

An incumbent VPAA shall be evaluated at least every five years. The VPAA may be evaluated more frequently at the President's discretion.

SECTION D: THE VPAA AND THE COUNCIL OF DEANS

*VI.D*

The Council of Deans is composed of all the academic Deans and such other members as the VPAA may appoint with the advice and consent of the Deans. The Council of Deans shall assist the VPAA in developing procedures and guidelines for the administrative implementation of University policy. Notice of formal action of the Council of Deans shall be sent to the Secretary of the Faculty Senate.

**ARTICLE VII: THE VICE PRESIDENT FOR STUDENT AFFAIRS (VPSA)**

**SECTION A: THE OFFICE OF THE VICE PRESIDENT FOR STUDENT AFFAIRS** **VII.A**

The VPSA shall have the overall responsibility for planning, developing, and maintaining the quality of student service programs in the University and, specifically, for the functions of the offices of residence programs, student services, and student activities and organizations. The VPSA shall be an *ex officio* member of the Faculty Senate with the right to vote, except where otherwise excluded. *IV.B.* and *F.*

**SECTION B: EVALUATION OF THE VPSA** **VII.B**

The President shall, as a standard procedure, complete an annual evaluation of the administration of the VPSA. This evaluation need not be formal; rather, it may have the character of an informal dialogue. However, it shall include a discussion with the Student Affairs Advisory Board.

An incumbent VPSA shall be evaluated every five years. In intervening years, the VPSA may be evaluated more frequently at the President's discretion. The five-year evaluation shall be carried out by a committee of faculty, students, and administrative staff. A final report that includes a recommendation about continuation in office shall be sent to the President.

**SECTION C: THE VPSA AND THE STUDENT AFFAIRS ADVISORY BOARD** **VII.C**

The Student Affairs Advisory Board is a University standing committee and shall advise the VPSA on matters related to the general welfare of students. The Board shall meet monthly during the academic year. *V.B.*

**SECTION D: STUDENT GOVERNMENT ORGANIZATIONS** **VII.D**

1. Undergraduate Student Government (USG)

Undergraduate students shall be organized as provided for in Article II and in accordance with a constitution stating certain duties, responsibilities, privileges, and powers delegated by the President. Students shall participate in University governance according to provisions in this charter.

2. Graduate Student Senate (GSS)

Graduate students shall be organized as provided for in Article II and in accordance with a constitution stating certain duties, responsibilities, privileges, and powers delegated by the President. Students shall participate in University governance according to provisions in this charter.

## **ARTICLE VIII: THE GRADUATE COLLEGE**

### **SECTION A: GENERAL AUTHORITY AND ORGANIZATION**

*VIII.A*

The Graduate College is governed by a Graduate Council whose members are elected by the Graduate Faculty. The Dean of the Graduate College functions as its principal administrative officer and is Chair of the Graduate Council. The awarding of advanced degrees to graduate students is certified and approved by the Graduate Faculty.

### **SECTION B: RESPONSIBILITIES OF THE DEAN OF THE GRADUATE COLLEGE**

*VIII.B*

The Dean shall be the administrative head of the Graduate College and be responsible for the quality of the graduate teaching, research, and degree-granting functions of the College through the VPAA to the President and to the Board of Trustees.

The duties of the Dean of the Graduate College are as follows:

1. The Dean is responsible for providing academic leadership to ensure that the highest possible quality is achieved and maintained in the teaching, research, and degree-granting functions of the Graduate College.
2. The Dean is responsible for coordinating the operations of the Graduate College with those of other units of the University and of agencies outside the University.
3. In addition to the duties specified in *VIII.A.*, *VIII.E.*, and *VIII.F.1.a)*, the Dean shall
  - a) ensure that members of the Graduate Faculty meet the requirements for membership as determined by the Graduate Council, examine credentials, and interview prospective Graduate Faculty; and
  - b) be responsible for preparing contracts for employment for all graduate assistants, teaching fellows, nonservice fellows, and research assistants.

### **SECTION C: THE GRADUATE FACULTY**

*VIII.C*

The Graduate Faculty shall be composed of academic department, school, and college faculty members who have high professional qualifications, who are actively engaged in research, inquiry, or creative work within their respective areas of specialization, and who either teach graduate courses or advise or supervise graduate degree candidates. Two categories of members exist—regular and provisional. Within these two main categories, departments, schools, or colleges may define subcategories of membership subject to approval by the Graduate Council. In addition, the Dean of the Graduate College, at the request of the academic unit, may appoint persons to the Graduate Faculty in special categories that have been approved by Graduate Council. Such special appointments to the Graduate Faculty shall be made by the Dean of the

Graduate College in conjunction with the Chair, Director, or Dean of the appropriate department, school, or college for special purposes as the need arises.

Meetings of the Graduate Faculty can be held at the request of one-third of the members, or at the call of the Graduate Dean, who shall chair such meetings. The Graduate Faculty elects from its own members representatives to the Graduate Council. Actions by an assembled quorum of the Graduate Faculty take precedence over those of the Graduate Council. A quorum of the Graduate Faculty for transacting business is one-third of the regular members.

#### SECTION D: THE GRADUATE COUNCIL

*VIII.D*

##### 1. Membership

*VIII.D.1*

Regular and provisional Graduate Faculty members are eligible for membership on the Graduate Council. Such members shall be elected for three-year terms with approximately one-third being elected annually by vote of the Graduate Faculty within each college. Procedures for elections, including the date of elections, effective date of membership, and annual reapportionment review, shall be determined by the Graduate Council. The Graduate Council shall be composed of members as follows:

- a) the Dean of the Graduate College, who shall serve as Chair;
- b) the VPAA, who shall serve ex officio without vote;
- c) the total number of Graduate Faculty representatives shall be twice the number of doctoral departments but not fewer than twenty-four. They shall be apportioned among the undergraduate colleges having at least one graduate program as follows:

Whenever reapportionment is necessary, all currently elected members of the Council shall complete their terms of office, even if that means a temporary increase in the size of the body.

(1) for each such undergraduate college or school, its percent of these faculty representatives shall be the mean of

- (a) its percent of graduate program units relative to the total graduate program units in the University, and
- (b) its percent of Graduate Faculty relative to the total number of Graduate Faculty in the University;

(2) each undergraduate college and doctoral department shall have at least one faculty representative;

(3) no department shall have more than one faculty representative at any time.

- d) the Deans or persons responsible for graduate programs of each of the undergraduate colleges that offer graduate programs;
- e) the Dean of the Library and Learning Resources;
- f) the Executive Director of Continuing & Extended Education;
- g) one Chair/Director appointed by the University department Chairs and school Directors;  
and
- h) two graduate student representatives appointed by the GSS.

The Graduate Dean may invite other persons to attend meetings as deemed appropriate. Changes in the foregoing membership structure may be initiated by the Graduate College, subject to the normal procedures for Charter amendment.

## 2. Recommending and Advising Functions of the Graduate Council

*VIII.D.2*

The Graduate Council shall:

- a) advise the Dean with regard to the goals and directions of graduate education;
- b) establish regulations that govern all graduate programs, including standards concerning grading appeals of grades, class attendance, examinations, and academic honesty;
- c) consider proposals for the establishment, modification, or discontinuance of graduate programs;
- d) ensure that review and evaluation of all graduate degree programs are conducted periodically;
- e) establish standards for Graduate Faculty status and approve credentials (in general, the standards specified by the Council are minimums--higher standards and stronger requirements may be prescribed by departments and schools that have Graduate programs);
- f) report regularly to Faculty Senate through CAA on the issues discussed and actions taken. The Council may also consider any matter of concern to graduate students and members of the Graduate Faculty. Subcommittees of the Graduate Council are appointed by the Chair (Graduate Dean) as required, subject to the approval of the Graduate Council.

## 3. Program and Policies Approval

*VIII.D.3*

The proposal to create a new graduate degree program may originate with a group of faculty members or with the administration. Detailed proposals shall be submitted to the VPAA and VPFA. Proposals shall include necessary and adequate supporting documentation and facts, as well as a realistic resource statement. The VPAA, in consultation with the VPFA as necessary,

shall prepare a resource impact analysis of the proposal and forward it to the FAAC/UBC for review and comment. The resource statement, impact analysis, and the FAAC/UBC review shall accompany the proposal throughout the review process.

If supported by the VPAA, the proposal shall then be submitted to the department chair/school director of the affected unit for review and approval by the chair/director and the faculty of the department, school, or program concerned and any curriculum council of the department/school. The department chair/school director shall then forward the proposal and supporting materials to the appropriate curriculum council of the college for approval and transmittal to the college dean. After approval, the dean returns the proposal and supporting materials to the proposal initiators, who then transmit the proposal and supporting materials to the Graduate Council.

If the Graduate Council approves the proposal, it is then forwarded to the CAA for review. The CAA reviews the proposal and transmits it to SEC, with comments, for consideration by Faculty Senate. When a program or policy has been approved by the Faculty Senate, it shall be forwarded to the VPAA.

New graduate degree programs also require the approval of the Ohio Board of Regents. The VPAA and Dean of the Graduate College shall assist the proposal initiators in the submission of the proposal to state-level review. When state-level review is secured, the VPAA shall forward the proposal and all supporting materials to the President. If the President supports the proposal, he or she shall forward it to the Board of Trustees, together with written statements indicating Presidential support or nonsupport. If at any time in the process, the proposal is not approved, it shall be returned to the proposal initiators with comments.

## ARTICLE IX: THE UNDERGRADUATE COLLEGES

### SECTION A: DEFINITION AND COMPOSITION OF A COLLEGE

IX.A

The Undergraduate Colleges are those academic units that are authorized to award Associate and/or Baccalaureate degrees, with a Dean who functions as the principal administrative officer.

### SECTION B: RESPONSIBILITIES OF THE DEAN OF AN UNDERGRADUATE COLLEGE IX.B

1. The Dean shall be the principal administrative officer of the college, supervising the college for effective and professional operation. The Dean is administratively responsible to the VPAA and, through the VPAA, to the President.

2. The Dean also is the representative of the faculty of the college with the authority and responsibility to represent their views and to promote their best interests as an academic unit. *IX.E.1.d*). The Dean shall have the general governance responsibility to communicate, interpret, and report the views and positions of the college faculty to the central administration and those of the central administration to the college faculty. The Dean shall serve as liaison between the College and other units of the University.

3. The Dean shall bring current scholarship and critical thought to bear upon the instructional programs of the college in order to encourage their improvement and provide the finest educational opportunities to the students that financial support, staff, and facilities permit. The Dean, also, shall see that the following duties are performed effectively and include the appropriate involvement of the faculty and college committees or councils:

a) coordinating, scheduling, evaluating, and improving the curricula and programs of instruction, including proposals for new courses or the modification or discontinuance of existing courses;

b) serving the students of the college through advising and registering, and cooperating with the Counseling and Career Development Center in educational and vocational guidance;

c) promoting the college through appropriate University channels, including the revision of official University publications, such as the annual catalog, bulletins, etc.; and

d) coordinating between the college and the Graduate College in matters including modifying the graduate curriculum within the departments and schools, scheduling of graduate courses, recruiting and scheduling of graduate faculty, and clarifying the financial impact of the graduate courses on the collegial budget.

4. The Dean shall serve as chief personnel and contracting officer for the college. As such, the Dean shall review all departmental and school personnel recommendations concerning faculty and academic staff (i.e., recommendations for new appointments, reappointments, performance evaluations, salary changes, terminations of contracts, tenure, leaves of absence, and promotions)

in accordance with the principles set forth in the Collective Bargaining Agreement between the University and the BGSU Faculty Association and the provisions of this Charter. *X, XI, and XII*. The Dean shall be responsible for forwarding personnel recommendations to the VPAA.

5. The Dean shall serve as chief fiscal officer for the college, and as such is responsible for the effective and efficient employment of budgetary resources. Further, the Dean is responsible for the preparation of the budget for the college. Budget requests shall include appropriate involvement of college committees and councils, as well as department Chairs and school Directors. Such requests will include equipment, supplies, and other operating funds and faculty and support positions.

### SECTION C: FACULTY ORGANIZATION AND MEETINGS

*IX.C*

Organization for faculty participation in college governance shall be worked out by each Dean in consultation with the probationary and tenured faculty of the college. There shall, however, be provision in each college for certain elected officers, including at least a Chair and a Secretary. The Dean or a majority of elected faculty members of the college council may request a called meeting of the college faculty.

The frequency of, and the agenda for, meetings of the faculty shall be determined by the Dean in consultation with the college council. The Dean, the college council, or the University administration may bring topics to the attention of a college faculty. Minutes of all faculty meetings shall be kept by the Secretary of the college faculty and circulated to members of the college faculty, the Dean of the Graduate College, and the VPAA.

### SECTION D: COUNCILS AND COMMITTEES

*IX.D*

#### 1. College Council

*IX.D.1*

Each college shall have a college council to act in an advisory capacity to the Dean. Among the members of the college council shall be the Dean (*ex officio*), and at least one department Chair or school Director.

#### 2. Other Councils and Committees

*IX.D.2*

The Dean, in consultation with the faculty, shall establish other councils and committees to formulate and implement the academic programs and procedures of the college.

#### 3. Membership

*IX.D.3*

a. Faculty shall compose a majority of the membership of each council and committee and these faculty shall be elected by the faculty of the College according to the procedures of the College and represent the various interests of the College.

b. Provision shall be made for student membership whenever appropriate. Administrative staff and classified staff membership on the college council shall be at the discretion of the council and these members shall be chosen by their respective constituencies.

## SECTION E: THE UNDERGRADUATE COUNCIL

IX.E

### 1. Membership

IX.E.1

The Undergraduate Council shall be composed of twenty-nine members as follows:

- a) the VPAA or his/her designee, who shall serve as Chair, *ex officio*, without vote;
- b) fifteen faculty representatives elected from undergraduate colleges apportioned by the number of FTE students generated within each college, with at least one from each college, for three-year staggered terms;
- c) one faculty representative elected from Instructional Support Services to serve a three-year term;
- d) the Deans of the seven undergraduate colleges;
- e) the Dean of Libraries and Learning Resources;
- f) Executive Director of Continuing & Extended Education;
- g) one representative appointed by the University department Chairs and school Directors from among the Chairs and Directors; and
- h) two undergraduate students appointed by the USG for one-year terms.

When absence from an Undergraduate Council meeting is necessary, a member of the Council may select a substitute who shall be able to participate in discussions and vote. One such person shall be designated as a primary alternate for each member of the Undergraduate Council. It is the responsibility of the regular member of Council to contact the primary alternate or a substitute whenever an absence is anticipated. The name of the primary alternate shall be given to the Secretary of Undergraduate Council early in each academic year. If neither the member nor the alternate can attend, it is the responsibility of the member to contact a substitute.

### 2. Recommending and Advising Functions of the Undergraduate Council

IX.E.2

The Undergraduate Council shall:

- a) formulate the goals and directions of undergraduate education;
- b) establish regulations that govern all undergraduate programs, including standards

concerning grading appeals of grades, class attendance, examinations, and academic honesty;

c) monitor all academic functions generating undergraduate academic credit;

d) approve proposals for the establishment, modification, or discontinuance of programs and degrees;

e) review and make recommendations regarding establishment of new instructional units, including departments, schools, colleges, and other instructional units, in accordance with the policies and procedures set forth in *IX.E*, *IX.F*, *X.F.*, and *XI.E.*;

f) ensure that review and evaluation of all undergraduate programs are conducted periodically;

g) review and advise on academic reconfiguration proposals; and

h) report regularly to the Faculty Senate through the CAA on the issues discussed and the actions taken.

The Undergraduate Council may also consider any academic matters of concern to undergraduate students and faculty. Subcommittees of the Undergraduate Council are appointed by the Chair as required and subject to approval by the Undergraduate Council. The General Education Committee is established as a University Standing Committee that serves an advisory function for the Undergraduate Council in accordance with Article V, Section B.

### 3. Program and Policies Approval

*IX.E.3*

The proposal to create a new undergraduate degree program may originate with a group of faculty members or with the administration. Detailed proposals shall be submitted to the Dean, the VPAA and the VPFA. Proposals shall include all necessary and adequate supporting facts and documentation, as well as a realistic resource statement. The VPAA, in consultation with the VPFA as necessary, shall prepare a resource impact analysis of the proposal and forward it to the FAAC/UBC for review and comment. The resource statement, impact analysis, and the FAAC/UBC review shall accompany the proposal throughout the review process.

If supported by the VPAA, the proposal shall then be submitted to the department chair/school director of the affected unit for review and approval by the chair/director and the faculty of the department, school, or program concerned and any curriculum council of the department/school. The department chair/school director shall then forward the proposal and supporting materials to the appropriate curriculum council of the college for approval and transmittal to the college dean. After approval, the dean returns the proposal and supporting materials to the proposal initiators, who then transmit the proposal and supporting materials to the Undergraduate Council.

If the Undergraduate Council approves the proposal, it is then forwarded to the CAA for review. The CAA reviews the proposal and transmits it to SEC, with comments, for consideration by

Faculty Senate. When a program or policy has been approved by the Faculty Senate, it shall be forwarded to the VPAA.

New undergraduate degree programs also require the approval of the Ohio Board of Regents. The VPAA and Dean(s) of the affected College(s) shall assist the proposal initiators in the submission of the proposal to state-level review. When state-level review is secured, the VPAA shall forward the proposal and all supporting materials to the President. If the President supports the proposal, he or she shall forward it to the Board of Trustees, together with written statements indicating Presidential support or nonsupport. If at any time in the process, the proposal is not approved, it shall be returned to the proposal initiators with comments.

All academic policies adopted by the Undergraduate Council will be reviewed by the CAA, which will forward items to the SEC for consideration by the full senate. Those policies with resource implications, accompanied by a realistic resource requirements statement, shall be submitted to the VPFA, who shall prepare a resource impact analysis of the proposal and request that FAAC/UBC review and comment on the analysis. The analysis shall accompany the proposal throughout the review process.

#### SECTION F: PROPOSALS TO CREATE A NEW UNDERGRADUATE COLLEGE

*IX.F*

Proposals to create a new college, consisting either of newly created departments or rearrangement of an existing department(s) or school(s), may originate with a group of faculty members or with the administration. Detailed proposals shall be submitted to the VPAA and the VPFA. Proposals shall include all necessary and adequate supporting facts and documentation, as well as a realistic resource statement. The VPAA, in consultation with the VPFA as necessary, shall prepare a resource impact analysis of the proposal and forward it to the FAAC/UBC for review and comment. The resource statement, impact analysis, and the FAAC/UBC review shall accompany the proposal throughout the review process.

If supported by the VPAA, and if the proposal has direct bearing upon the welfare or program of one or more existing colleges or the schools/departments therein, the proposal and all materials shall be presented to the appropriate dean(s) and college council(s) for review and written comment. The dean(s) shall then forward the college council comments to the VPAA, who shall forward the proposal and all materials to the Undergraduate Council.

The Undergraduate Council shall hold its own hearings. If necessary, it may seek the advice of one or more outside consultants. The Undergraduate Council shall forward its recommendation, together with all documentary information it has gathered, including that of the college(s), to the CAA for presentation to the Faculty Senate.

The Faculty Senate shall act upon the recommendation of the Undergraduate Council and the established procedures for implementation of Senate actions shall be followed.

## **ARTICLE X: THE HONORS COLLEGE**

### SECTION A: GENERAL AUTHORIZATION

X.A

The Honors College is a cross-disciplinary Undergraduate College (see Article IX) organized on a basis comparable to the Graduate College (see Article VIII). The Honors College is governed by an Honors Council whose members are elected by the Faculty serving in the Honors College. The Dean of the Honors College functions as its principal administrative officer.

### SECTION B: THE SELECTION AND EVALUATION OF THE DEAN

X.B

As the Honors College is classified as an Undergraduate College (see Section A of this article) the selection and evaluation of the Dean of the Honors College shall be carried out as specified for Deans of Undergraduate Colleges in the Collective Bargaining Agreement.

### SECTION C: RESPONSIBILITIES OF THE DEAN OF THE HONORS COLLEGE

X.C

The Dean shall be the administrative head of the Honors College and shall be responsible for the functions of the Honors College through the VPAA to the President and to the Board of Trustees.

In addition to the duties specified in X.A., X.D., and X.E.1.a), the Dean shall provide academic leadership and shall ensure that members of the Honors Faculty meet the requirements for membership as determined by the Honors College Council.

### SECTION D: THE HONORS FACULTY

X.D

The Honors College Faculty shall be composed of academic department, school, and college faculty members who have been appointed as Honors Faculty as detailed below. Honors Faculty may be either tenure track or non-tenure track faculty. Honors Faculty have joint affiliation; their primary affiliation resides with their contractual academic unit.

Faculty members are nominated for Honors Faculty status by the Chair of the faculty member's contractual department, program, or academic unit. The nominations then must be approved by the Honors Council, then by the Dean of the Honors College and the Dean of the faculty member's home College. Honors Faculty status commences the semester during which the faculty member teaches one or more Honors courses and continues until the expiration of the third academic year following appointment.

Special appointments to the Honors Faculty may be made by the Dean of the Honors College in circumstances that merit them, such as the teaching of an Honors Course by a Visiting Professor or Professional expert in her field, if they are approved by the Honors Council and the appointee's contractual unit chair or director. Special appointees are exempted from participation in Honors College governance.

Meetings of the Honors Faculty can be held at the request of one-third of the members, or at the call of the Honors Dean, who shall chair such meetings. The Honors Faculty elects from its own

members representatives to the Honors Council. Actions by an assembled quorum of the Honors Faculty take precedence over those of the Honors Council. A quorum of the Honors Faculty for transacting business is one-third of the regular members.

## SECTION E: THE HONORS COUNCIL

*X.E*

### 1. Membership

*X.E.1*

All Honors Faculty members are eligible for membership on the Honors Council. Such members shall be elected for three-year terms with approximately one-third being elected annually by vote of the Honors Faculty. Procedures for elections, including the date of elections, effective date of membership, and annual reapportionment review, shall be determined by the Honors Council. The Honors Council shall be composed of members as follows:

- a) the Dean of the Honors College, who shall serve as Chair;
- b) Honors Faculty representatives

The total number of Honors Faculty representatives shall be eleven, as follows:

Three elected from Arts & Sciences, one each from Natural Sciences, Social Sciences, and Arts & Humanities;

Two elected from the College of Education and Human Development, one each from Education and Human Development;

One from each of the other undergraduate Colleges (Business Administration; Firelands; Health & Human Services; Musical Arts; Technology, Architecture, & Applied Engineering); and

One from University Libraries.

- c) one Chair/Director appointed by the University department Chairs and school Directors; and
- d) one undergraduate Honors student representative appointed by the UGC for a one-year term.

The Honors Dean may invite other persons to attend meetings as deemed appropriate. Changes in the foregoing membership structure may be initiated by the Honors College, subject to the normal procedures for Charter amendment.

### 2. Internal Functions

*X.E.2*

The Honors Council shall:

- a) Advise the Dean with regard to the goals and directions of undergraduate Honors education;
- b) Establish standards and approve courses for Honors certification, and establish the

- review process for recertifying courses as needed;
- c) Establish standards for certification of the Honors designation of the degree;
  - d) Establish standards for Honors Faculty status and approve credentials.
  - e) Report regularly to Faculty Senate through CAA on the issues discussed and actions taken;
  - f) May also consider any matter of concern to Honors students and members of the Honors Faculty.
  - g) Establish and update College governance policy.
  - h) Approve subcommittees appointed by the Chair as required.

#### SECTION F: ACADEMIC POLICY REVIEW

*X.F*

All academic policies adopted by the Honors College shall be reviewed by UGC, then by CAA, which will forward items to SEC for consideration by the full Senate. Those policies with resource implications, accompanied by a realistic resource requirements statement, shall be submitted to the VPFA, who shall prepare a resource impact analysis of the proposal and request that FAAC/UBC review and comment on the analysis. This analysis shall be completed prior to submission to the UGC, and shall accompany the proposal throughout the review process.

## ARTICLE XI: SCHOOLS

### SECTION A: DEFINITION AND COMPOSITION OF A SCHOOL

*XI.A*

A school is an academic unit that administers instruction, research, and service in a common but diverse disciplinary field or in areas of professional specialization or practice. The faculty of a school shall include all those members of the University faculty (as defined in II) who have been appointed to the school with the consent of other members of the school's faculty or, if applicable, by the program unit, division, or department. It is represented typically by at least one undergraduate degree, which is the responsibility of the faculty of the school.

The school shall have the fullest measure of autonomy consistent with its function and responsibility within the college, subject to the provisions of this Charter, and a duly elected Director shall function as the principal administrative officer and shall be responsible to the Dean of the appropriate College for the activities of the school.

### SECTION B: ORGANIZATIONAL STRUCTURE OF A SCHOOL

*XI.B*

The Director of the school faculty shall make necessary organizational arrangements with the appropriate Dean to accommodate the distinctive administrative needs of the school.

Schools may be organized with divisions, program units, or departments. Divisions/program units may be given the status of departments in compliance with XII.G. When such occurs, they function under the provisions of XII.

Each school shall have a school council to act in an advisory capacity to the Director and such other councils and committees as the Director, in consultation with the faculty, shall establish to formulate and implement the academic programs and procedures of the school. Among the members of the school council shall be the Director (ex officio) and at least one department/program unit Chair. Provision shall be made for all councils and committees to have major membership elected by the faculty of the school to represent various interests of the school.

A school shall have a curriculum review committee, which shall review curricula and programs of instruction in the school. Recommendations shall be forwarded by the Director of the school directly to the appropriate Dean.

A school shall have an elected personnel review committee, which shall be responsible for the policies and procedures of faculty tenure and promotion within the school and for criteria and procedures for review of faculty for merit pay. Recommendations for tenure and promotion shall be forwarded by the Director of the school to the Dean, who may request advice from an appropriate college personnel review committee. Where there are no departments but specifically structured divisions within a school that desire to conduct the first-level tenure and promotion review, the school may petition the SEC for such divisions to be the tenuring units within the school. In such situations, the division as a tenuring unit parallels a department with respect to

responsibilities, which results in an additional level of review, both school and college (IX.C4) reviews are still required.

SECTION C: APPOINTMENT OR REAPPOINTMENT OF THE DIRECTOR OF A SCHOOL *XI.C*

The Dean shall be responsible for the selection, appointment, reappointment, evaluation or recall of the Director of a school.

The Dean shall consider all candidates and shall discuss with the screening committee any questions or concerns raised by the documentation or by other information that is brought forward by the evaluation process. The screening committee shall consult with the faculty of the school and respond to questions or concerns of the faculty before recommending an appointment to the Dean. The screening committee's recommendation shall be advisory to the Dean. (See Article 10 section 4 of the CBA)

The permanent Director shall normally take office no later than the beginning of the academic year following the appointment of an Acting Director.

The Director of a school may resign at any time without embarrassment or the presumption of prejudice.

SECTION D: RESPONSIBILITIES OF THE DIRECTOR OF A SCHOOL

*XI.D*

The Director shall be administratively responsible for all activities of the school. The Director of a school shall be responsible to the Dean of the college with which the school is associated and through the Dean to the VPAA. Through this administrative line, the Director derives the authority to execute the Director's responsibilities. Further, the Director is the primary representative of the school faculty with authority and responsibility, by virtue of election, to represent its views and to promote its best interests as a school.

The responsibilities of the Director are:

1. to organize, in conjunction with the faculty, the administrative structure of the school; within the limits of the school budget, appoint whatever administrative personnel appear to be requisite to the effective functioning of the school office; and assign the respective functions of all personnel working in the school;
2. to serve as the fiscal officer of the school, with the responsibility for preparing the budget in consultation with the division/program unit or department Chairs; allocating resources to the division/program units or departments; monitoring the administration of operating and personnel budgets; and supervising the use of resources, including facilities, equipment, and supplies;

3. to provide academic leadership for the instructional, research, service, and administrative personnel of the school and to be involved in the recruitment, selection, employment, in-service training, tenure promotion, non-reappointment, and dismissal of personnel;

4. to perform or delegate and monitor the development of the curricula and programs of instruction, sharing this responsibility with committees of the school and with divisions/program units or departments; and

5. to supervise any graduate programs within the school. The Director or designated graduate coordinator shall administer the program.

#### SECTION E: EVALUATION OF A SCHOOL

*XI.E*

Each school shall prepare, at least once every five years, an evaluation of its problems, plans, and objectives. Specific performance objectives shall be established prior to each evaluation period and shall be used to determine the extent to which the goals are being met. The school shall endeavor to apply the highest possible standards in evaluation of its own performance. This report shall be prepared by the Director with input from the faculty, graduate students, and undergraduate majors of the school. If deemed appropriate by the Dean or the school, persons outside the school may be invited to participate in the evaluation process. Attention shall be given to the effectiveness of personnel, the quality of the academic programs, efficiency in utilization of existing resources, the research and service activities of the school, adequacy of physical facilities, long-range plans and objectives, adequacy of monetary support, and appropriateness of internal organization and communication. The report shall be presented to the school faculty and filed by the Director with the appropriate Dean; a copy also shall be submitted to the VPAA, the CAA, and the President of the University.

#### SECTION F: PROPOSALS TO CREATE A NEW SCHOOL

*XI.F*

The proposal to create a new school may originate with a group of faculty members or with the administration. Such proposals shall be submitted first to the appropriate Dean(s), departments, schools, and affected faculty to further develop the proposal. If two or more colleges are affected, then the proposal is for an academic reconfiguration. Follow the procedures outlined in Article XV.

Proposers shall submit realistic resource statement, along with the proposal itself, to the VPAA. The VPAA, in consultation with the VPFA as necessary, shall prepare a resource impact analysis of the proposal and forward it to the FAAC/UBC for review and comment. The resource statement, impact analysis, and the FAAC/UBC review shall accompany the proposal throughout the review process.

If supported by the VPAA, the proposal and all materials shall be presented to the appropriate dean(s) and college council(s) for review and written comment. College council(s) shall hold hearings to discuss the proposed change and make recommendations to the dean(s). Interested

faculty members, students, and administrators may appear at such hearings. The dean(s) shall make a recommendation, inform the VPAA, and forward proposal and accompanying documents to Undergraduate Council and/or Graduate Council. Undergraduate Council and/or Graduate Council may decide to hold additional hearings before voting on proposal and making recommendations. Undergraduate Council and/or Graduate Council reviews, votes, and submits recommendations to VPAA.

The VPAA shall review the proposal and transmit it to CAA with a timeframe for review. Any changes to the proposal after this point must loop back to the VPAA for review and signature.

CAA shall review the proposal and transmit it to Faculty Senate. Faculty Senate shall act on the recommendations of these bodies. If approved by the Faculty Senate, the Faculty Senate Secretary shall send a letter of transmittal, the Faculty Senate minutes, the proposal and supporting documents to the President for review, approval, and submission to the Board of Trustees. If the proposal is approved by the Board of Trustees, the Secretary of the Board of Trustees forwards the approved proposal to the VPAA for implementation.

## **ARTICLE XII: THE ACADEMIC DEPARTMENTS**

### **SECTION A: DEFINITION AND COMPOSITION OF A DEPARTMENT**

*XII.A*

The academic department is the basic administrative unit within the University organized to carry on and develop the instructional and research activities of its faculty. The academic department shall be organized around a particular field of knowledge or around a specific instructional objective or mission. The faculty of an academic department shall include all those members of the University faculty (as defined in Article *II*) who have been appointed to the department with the consent of other members of the department faculty.

The academic department shall have the fullest measure of autonomy consistent with its function and responsibility within the college and the University, subject to the provisions of this Charter. *VI, VIII, and IX*. The faculty may enact bylaws to carry out the mission of the department.

The Chair of the academic department shall share the responsibility for the organization of the department with the faculty of the department. The department shall be organized so that all of its probationary and tenured faculty members have a part in formulating policies and procedures that relate to the academic quality of the department and the professional concerns of its members. The probationary and tenured faculty of a department may authorize representatives of other groups to aid in making decisions except where prohibited by this document. Student participation on appropriate departmental committees is desirable.

### **SECTION B: APPOINTMENT OR REAPPOINTMENT OF THE CHAIR OF A DEPARTMENT**

*XII.B*

The Dean shall be responsible for the selection, appointment, reappointment, evaluation, or recall of the Chair of a Department.

The Dean shall consider all candidates and shall discuss with the screening committee any questions or concerns raised by the documentation or by other information that is brought forward by the evaluation process. The screening committee shall consult with the faculty of the department and respond to questions or concerns of the faculty before recommending an appointment to the Dean. The screening committee's recommendation shall be advisory to the Dean.

The permanent Chair shall normally take office no later than the beginning of the academic year following the appointment of an Acting Chair.

The Chair of an academic department may resign at any time without embarrassment or the presumption of prejudice.

### **SECTION C: RESPONSIBILITIES OF THE CHAIR OF A DEPARTMENT**

*XII.C*

The Chair shall be administratively responsible for all activities of the department. The Chair is also administratively responsible to the Dean and through the Dean to the VPAA. Through this administrative line of responsibility the Chair derives the authority to execute the responsibilities cited below. Further, the Chair is the representative of the faculty of the department with the authority and responsibility, by virtue of the selection process, to represent its views and to promote its best interest as an academic department.

The Chair shall:

1. exercise leadership in the articulation and formulation of departmental missions, programs, goals, procedures, and policies; implement the policies of the department and serve as the chief representative of the department;
2. promote the best interests of the department, its faculty, and its students within the college, University, and the scholarly community at large except as it may relate to subjects covered by a collective bargaining unit;
3. administer and supervise the department for effective and professional operations;
4. communicate with units within the University on behalf of the department and communicate with the department on behalf of units within the University;
5. initiate all departmental recommendations concerning faculty and academic staff, new appointments, reappointments, salary changes, terminations of contracts, recommendations for tenure, leaves of absence, promotions, assistantships, fellowships, and scholarships in accordance with the principles set forth in the Collective Bargaining Agreement between the University and the BGSU Faculty Association and provisions of this Charter.
6. be responsible for the articulation and explanation of recommendations made under *XII.C.4*, including an evaluation with the appropriate committee report;
7. administer and supervise the activities of the nonacademic departmental staff, make budget recommendations, manage the expenditures of departmental funds, supervise the use of departmental facilities (equipment, space, supplies, and inventory), and work with the directors of various University units to maximize the resources available for the department's use in its various activities;
8. coordinate the departmental staff, decide matters of faculty work load, arrange all teaching schedules, coordinate all departmental programs, promote the most effective use of departmental resources, strive to improve the quality of the teaching and research activities of the department, strive to improve the curricular offerings and the academic programs of the department, initiate and consider proposals for changes in the curricula (including graduate programs) and forward them to the appropriate Dean for disposition; and

9. assume an appropriate teaching load in consultation with the Dean. Each Chair shall normally have some teaching duties each academic year. The teaching load shall depend on the needs of the department and the demands of administrative duties.

SECTION D: EVALUATION OF A DEPARTMENT

*XII.D*

Each academic department shall prepare, at least once every five years, an evaluation of its problems, plans, and objectives. Specific objectives shall be established prior to each evaluation period and shall be used to determine the extent to which the goals are being met. The department shall endeavor to apply the highest possible standards in evaluating its own performance. If deemed appropriate by the Dean or the department, persons outside the department may be invited to participate in the evaluation process. A report shall be prepared by the Chair based upon contributions from the faculty, graduate students, undergraduate majors, and perhaps others as well. Attention shall be given to the effectiveness of personnel, the quality of academic programs, efficiency in utilizing existing resources, the research and service activities of the department, adequacy of physical facilities, long-range plans and objectives, adequacy of financial support, and the appropriateness of internal organization and communication. The Chair shall present the report to the departmental faculty and to the Dean or Deans; the Chair shall forward copies of the report to the VPAA, the Undergraduate Council, and the President.

SECTION E: PROPOSALS TO CREATE NEW DEPARTMENTS

*XII.E*

Proposals to create new departments, to combine existing departments, or to transfer a department from one college or school to another may originate with a group of faculty members or with the administration. Such proposals shall be submitted first to the appropriate Dean(s), departments, schools, and affected faculty to further develop the proposal. If two or more colleges are affected, then the proposal is for an Academic Reconfiguration. Follow the procedures outlined in Article XIV.

Proposers shall submit realistic resource statement, along with the proposal itself, to the VPAA. The VPAA, in consultation with the VPFA as necessary, shall prepare a resource impact analysis of the proposal and forward it to the FAAC/UBC for review and comment. The resource statement, impact analysis, and the FAAC/UBC review shall accompany the proposal throughout review process.

If supported by the VPAA, the proposal and all materials shall be presented to the appropriate dean(s) and college council(s) for review and written comment. College council(s) shall hold hearings to discuss the proposed change and make recommendations to the dean(s). Interested faculty members, students, and administrators may appear at such hearings. The dean(s) shall make a recommendation, inform the VPAA, and forward proposal and accompanying documents to Undergraduate Council and/or Graduate Council. Undergraduate Council and/or Graduate Council may decide to hold additional hearings before voting on proposal and making

recommendations. Undergraduate Council and/or Graduate Council reviews, votes, and submits recommendations to VPAA.

The VPAA shall review the proposal and transmit it to CAA with a timeframe for review. Any changes to the proposal after this point must loop back to the VPAA for review and signature.

CAA shall review the proposal and transmit it to Faculty Senate. Faculty Senate shall act on the recommendations of these bodies. If approved by the Faculty Senate, the Faculty Senate Secretary shall send a letter of transmittal, the Faculty Senate minutes, the proposal and supporting documents to the President for review, approval, and submission to the Board of Trustees. If the proposal is approved by the Board of Trustees, the Secretary of the Board of Trustees forwards the approved proposal to the VPAA for implementation.

## **ARTICLE XIII: PROGRAMS, INSTITUTES, AND CENTERS**

### **SECTION A: DEFINITION AND COMPOSITION**

*XIII.A*

Interdepartmental programs, institutes, centers, and similar organizational units provide essential services to the University and the community, conduct instructional programs not otherwise provided through regular academic departments and schools, conduct research or other inquiry, or engage in some combination of the foregoing functions.

Three distinct designations for special academic units have been established to enhance the research, teaching, or service missions of the University:

1. the term institute is to be reserved for a special intradepartment or intraschool unit that is designed to use more effectively existing research, teaching, and service resources within the academic unit, in contrast to the interdepartment, interschool, or intercollegiate activities that characterize a center or a research center;
2. a multidisciplinary approach to instruction or to public service shall be known simply as a center;
3. a research center describes a multidisciplinary effort to develop new knowledge or to address applied research problems.

In addition, because of the interdisciplinary nature of an instructional field, a programmatic unit may be established that is interdepartmental, inter- or intraschool, or inter- or intracollege in nature. A division or program unit within a department or school also may be established.

### **SECTION B: ORGANIZATION AND OPERATION**

*XIII.B*

The Director or other administrative head of a division, program, institute, or center shall be responsible to an appropriate Chair, Director, Dean, or directly to the VPAA or VPSA. Where matters of academic concern are involved, Directors shall be responsible to the Faculty Senate and to other governance bodies that formulate policies affecting the unit or its personnel.

There shall be a triennial review regarding the continuance and viability of the division, program, institute, or center and recommendation for the continuance or abolishment of the unit to the appropriate administrative head.

### **SECTION C: ESTABLISHMENT AND GOVERNANCE**

*XIII.C*

#### **1. Division or Programmatic Instructional Unit**

*XIII.C.1*

Division or programmatic instructional units entirely within a department or school are not affected by this Article, but are within the general jurisdiction of such department or school.

Also, some interdepartmental programs are entirely housed within a college or school and normally report to the Dean of the college. The guidelines in this Article do not affect the relationship between the Directors of such divisions or programmatic units and the Deans and the councils of the respective colleges.

After an appropriate experimental period, where departmental organization is not desirable, petition may be made for continuing programmatic status to the appropriate college Dean or school Director and council(s), if any, and to the Undergraduate Council. Prior to submission of any proposals, a realistic resource requirement statement shall be submitted to the VPFA, who shall prepare a resource impact analysis of the proposal and request that FAAC/UBC review and comment on the analysis. The analysis shall accompany the proposal throughout the review process. After attainment of permanent programmatic unit status, the program Director and the program faculty shall operate on the basis of procedures analogous to those governing academic departments as specified in *XII*.

Proposals to create new instructional programs or groups, to combine existing programs and/or departments, or to transfer programs from one college or school to another may originate with any member of the University Community. Prior to submission of any proposals, a realistic resource requirement statement shall be submitted to the VPFA, who shall prepare a resource impact analysis of the proposal and request that FAAC/UBC review and comment on the analysis. The analysis shall accompany the proposal throughout the review process. Such proposals shall be submitted first to the appropriate school or college and to the Undergraduate Council, with informational copies to the department(s), school(s), and/or program faculty members who will be affected. In no case shall such proposals be approved without the advice of the faculty who will be relocated. The college or school council(s) shall hold open hearings, after which a recommendation shall be made to the Undergraduate Council, which in its turn may choose to hold additional hearings prior to its determination of approval or disapproval of the proposal.

2. Institute

*XIII.C.2*

An institute exists primarily to provide a means by which selected members of a department or a school may be organized for the purpose of using some of the department's or school's research, teaching, and service resources more effectively.

The department or school that desires to establish an institute shall submit the proposal for the institute to the appropriate Dean. Prior to submission of any proposals, a realistic resource requirement statement shall be submitted to the VPFA, who shall prepare a resource impact analysis of the proposal and request that FAAC/UBC review and comment on the analysis. The analysis shall accompany the proposal throughout the review process. The proposal approved at the collegiate level shall be reviewed for final approval by the VPAA. The organizational structure of the governance of the institute shall be determined by the department or school in consultation with the Dean of the college.

3. Center

*XIII.C.3*

A center exists primarily to provide a means by which interdepartment, interschool, and intercollegiate boundaries may be bridged in the development of instructional programs or community service. A center shall have as its principal goal the synthesis of knowledge drawn from more than one discipline and the dissemination of that knowledge to a suitable student population or to the community outside the University.

A proposal for the establishment of a center shall be submitted to the Dean(s) of the college(s) and Director(s) of schools involved for approval. Prior to any further action on the proposal, a realistic resource requirement statement shall be submitted to the VPFA, who shall prepare a resource impact analysis of the proposal and request that FAAC/UBC review and comment on the analysis. The analysis shall accompany the proposal throughout the review process. The decision at the collegiate and school level shall be based in part upon the advice of the appropriate council(s) and the advice of those departmental Chairs and school Directors with personnel participating in the center. A proposal approved by the appropriate Dean(s) and Director(s) shall be submitted to the Undergraduate Council for review. Recommendations from the Undergraduate Council shall be submitted to the VPAA for final approval.

All centers shall be under a Director appointed by the VPAA in consultation with the appropriate Dean(s) and Director(s). If the departments and schools participating in the center are within a college, the Director reports to the Dean of the college; if the center is intercollegiate, the Director reports to the VPAA. The Director of a center shall have the responsibility for coordinating the teaching, service, and research activities of the center. An advisory committee may be elected by the appropriate persons associated with the mission of the center and, if elected, will advise the Director on the administration of center activities.

#### 4. Research Center

*XIII.C.4*

A research center exists primarily to provide a means by which interdepartmental, interschool, and intercollegiate boundaries may be bridged in pursuit of new knowledge or the solution of applied research problems. The research activity of a research center cuts across several disciplines and involves a team of scholars, each one of whom contributes a special perspective and competency to the research.

A proposal for a research center shall be submitted to the Vice President for Research and Economic Development, who shall submit it to the Graduate Council for review. *VIII.D.* Prior to submission to the Graduate Council, a realistic resource requirement statement shall be submitted to the VPFA, who shall prepare a resource impact analysis of the proposal and request that FAAC/UBC review and comment on the analysis. The analysis shall accompany the proposal throughout the review process. Proposals approved shall be forwarded to the VPAA for final approval. Research centers are administratively responsible to the Vice President for Research and Economic Development. A research center shall have a Director appointed by the Vice President for Research and Economic Development in consultation with the faculty representatives from the center. The Director is responsible for the budget of the center and for the coordination of the center's research activities. An advisory committee, elected by the members of the center, shall advise the Director and work out the procedures for governing the center's faculty.



## **ARTICLE XIV: AMENDMENTS, INTERPRETATIONS, AND VIOLATIONS OF THE ACADEMIC CHARTER**

### SECTION A: MANDATORY CHANGES

*XIV.A*

Because of the legal primacy of the Collective Bargaining Agreement (CBA) between the Bowling Green State University Faculty Association and the University, changes made to the Academic Charter to bring it into compliance with the CBA shall be treated as editorial changes (See XIV.B) even if they appear to be substantive changes. This is because once the CBA has primacy over the Charter, any changes that bring the charter into compliance with it are no longer considered substantive, as their substance has been superseded by the CBA. The procedure for approval of editorial changes documented in XIV.B.5 below does not apply in this case.

### SECTION B: EDITORIAL CHANGES

*XIV.B*

Editorial changes in the Charter (*A,B-I,B-II, and Appendices*) are changes in words or phrases that do not alter the meaning or intent of the sentence, paragraph, or section of the Charter.

1. Editorial changes to this Charter may be initiated by the VPAA or by any three members of the University faculty, or may be initiated by the Committee on Amendments and Bylaws.
2. Proposed editorial changes that are initiated by faculty shall be submitted to the Committee on Amendments and Bylaws, which shall process them in accordance with *IV.F.4.b*). Following majority approval by the SEC, editorial changes, with explanations, shall be placed in the minutes of the SEC.
3. Proposed editorial changes that are initiated by the Committee on Amendments and Bylaws shall be processed in accordance with *IV.F.4.b*). Following majority approval by the SEC, editorial changes, with explanations, shall be placed in the minutes of the SEC.
4. Proposed editorial changes that are initiated by the VPAA shall be submitted directly to the SEC for its review. The SEC may, in its discretion, consult with the Committee on Amendments and Bylaws in its review of the proposed changes.
5. Editorial changes may be challenged within fifteen class days of publication of the action by a petition for review signed by not fewer than ten of the faculty and presented to the Secretary of the Faculty Senate for submission to the Senate. If so challenged, an editorial change requires affirmation by two-thirds of the Senate members voting. In the absence of Faculty objection, editorial changes shall be effective fifteen class days after they have been published.
6. The proposed editorial changes to this Charter approved by the SEC under the process described above shall then be forwarded to the President for review and communication to the Board of Trustees for adoption.

SECTION C: AMENDMENTS TO THE ACADEMIC CHARTER

*XIV.C*

1. Proposed amendments to this Charter (*A, B-I, B-II, and Appendices*) may be initiated by the VPAA or by any three members of the University faculty, or may be initiated by the Committee on Amendments and Bylaws. Proposed changes that are initiated by faculty shall be submitted to the Committee on Amendments and Bylaws, which shall process them in accordance with *IV.F.4.b*). Proposed changes that are initiated by the Committee on Amendments and Bylaws shall be processed in accordance with *IV.F.4.b*). Proposed changes that are initiated by the VPAA shall be submitted directly to the SEC for its review. The SEC may, in its discretion, consult with the Committee on Amendments and Bylaws in its review of the proposed changes.
2. Those amendments to the charter in *Part A* and the *Appendices* that are approved by a two-thirds vote of the total membership of the Faculty Senate shall be forwarded to the President, who shall forward any Senate-approved amendment that is not overturned in a faculty referendum to the Board of Trustees, together with a statement indicating Presidential support or nonsupport. *IV.C. and D*. The total membership of the Faculty Senate is defined to include those senators who have been duly elected or appointed, are qualified to serve and are serving.
3. Those amendments to the charter in *Parts B-I or B-II* that are approved by a two-thirds vote of those Senators present and legally entitled to vote, excluding blanks or abstentions shall be forwarded to the President, who shall forward any Senate-approved amendment that is not overturned in a faculty referendum to the Board of Trustees, together with a statement indicating presidential support or non-support.
4. Notice of Senate action on proposed amendments shall be sent by the Secretary of the Faculty Senate to all members of the University faculty within ten class days after the Senate meeting, and shall be subject to the Faculty Right to Review Senate action as provided in *IV.C.4*.
5. If a faculty referendum is called regarding a Charter amendment, a "yes" vote of a majority of the faculty members voting is required to approve the amendment. If this vote results in the passage of an amendment, the Secretary of the Faculty Senate shall forward it to the President of the University, who shall submit it to the Board of Trustees with a statement indicating Presidential support or nonsupport.

SECTION D: INTERPRETATIONS OF THE CHARTER

*XIV.D*

A written request for interpretation of this Charter shall be brought directly to the Chair of the Senate by any council, committee, office, or individual member of the University Community. The Chair of the senate shall provide a copy of the written request to the Provost/VPAA. A request for interpretation shall be discussed by the SEC in consultation with the President. An opinion as to the proper interpretation, based on a majority vote of the President and the members of the SEC, shall prevail. The opinion so rendered shall be transmitted by the Secretary of the Faculty Senate to the person(s) making the request, to the Provost/VPAA, and to the

Committee on Amendments and Bylaws, which shall take appropriate action in amending the Charter and/or communicating such interpretation to the Faculty Senate and/or the faculty.

SECTION E: VIOLATIONS OF THE CHARTER

*XIV.E*

Alleged violations of the Charter shall be brought to the Chair of the Senate by any council, committee, office, or individual member of the University Community. The chair of the senate shall provide a written copy of the alleged violation to the Provost/VPAA. Such alleged violations shall be reviewed by the SEC in consultation with the President. An opinion as to whether or not a violation has occurred shall be transmitted both to the person(s) alleging the violation and to the person(s) allegedly violating the Charter. When it has been determined that a violation has occurred, the appropriate action to be taken in order to achieve compliance with the Charter shall be designated by the SEC and the President and transmitted by the Secretary of the Faculty Senate to the person(s) violating the Charter, and to the Provost/VPAA.

SECTION F: CHARTER REVISION

*XIV.F*

Whenever the SEC deems it desirable to revise the Charter, it shall establish the procedures to include the following:

1. the formation of an ad hoc Charter revision Committee;
2. the holding of University hearings;
3. a vote of the Faculty Senate requiring a two-thirds vote of the total membership is required in favor of the revised Charter; and
4. a Faculty vote requiring a majority vote of those voting in favor of adopting the revised charter.

Once the revised Charter is approved by the Faculty, it is then forwarded to the President for transmittal to the Board of Trustees for action.

## ARTICLE XV: ACADEMIC RECONFIGURATION

### SECTION A: DEFINITIONS AND CONDITIONS

XV.A

Reconfiguration is a modification in the organizational structure of the academic units of the University. It may involve one or more colleges, schools, departments, programs, institutes, or centers. It may be induced by the addition of new academic programs or expansion of existing academic programs, as well as by program reduction or curtailment. There are three basic types of academic program reduction or curtailment: (1) consolidation of previously separate units, (2) reduction of an existing unit, or (3) elimination of an existing unit. If an academic program is curtailed or discontinued, normally it may not be reinstated for a period of at least five calendar years after the end of the academic year in which it was discontinued.

Reconfiguration may be stimulated by a variety of conditions such as societal changes that impact specific disciplines, the need for realignment to increase effectiveness, and the need to develop new programming by consolidation of existing programs. Whatever its origins, the purpose of reconfiguration must be to enhance the broad educational mission of the University. To this end, the proposed reconfiguration or organizational restructuring must be accompanied by evidence and a rationale that demonstrate that more effective use of resources for teaching, research, and service will be achieved and that it carries substantial faculty support. Regardless of the catalyst, faculty participation and the academic integrity of the University must guide the action.

The following criteria shall be considered in making reconfiguration decisions and for the purpose of determining the academic integrity of a reconfiguration proposal. These criteria are not meant to replace collegiate criteria used to evaluate programs or departments but to supplement them where appropriate.

1. **Coherence and Consistency of Mission.** The units should fit together as colleges, schools, or departments in a coherent fashion. The mission of the newly created unit should be consistent with that of the University.
2. **Effectiveness/Efficiency.** The unit should be cost effective. The structure of the unit should enhance opportunities for external funding. The size of the unit should be appropriate for its mission.
3. **Societal Needs.** The mission of the unit and the educational programs offered should meet the contemporary and future needs of society and the state of Ohio. There should be employment opportunities for graduates of the programs. Relationships with external agencies or groups should be established, or the opportunities for the establishment of such relationships should be evident. The nature and direction of the programs should be made clear.
4. **Enhancement of Academic Quality.** The reconfiguration should enhance the quality of the University's academic programs. Students' experience should be enriched. Unnecessary program duplication should be avoided.

5. Enhancement of Interdisciplinarity. The reconfiguration should enlarge the potential for interdisciplinary programs and activities. Suggestions on how the reconfiguration might contribute to the development of such interdisciplinary programs and activities should be included in the proposal.

6. Sense of Community. The reconfiguration should enhance the potential for enriching the sense of community within the University's faculty. The proposal should foster or enhance opportunities for faculty to work together, for faculty development, and for research collaboration in new areas.

7. Realization of Academic and Intellectual Potential. The reconfiguration should be consistent with the long range trends in academic disciplines. The proposal should enhance the University's ability to maintain relevancy in terms of both the direction of each discipline and the needs of students.

## SECTION B: INITIATING RECONFIGURATION

*XV.B*

Proposals for reconfiguration may originate with any member of the University Community (as defined in *II.A* of this Academic Charter), after consulting with the affected units.

If the proposal for reconfiguration is limited to changes in the organizational structure, academic program or curriculum within one college, school, department, or other academic or research unit, the governing process, rules, and procedures for such changes established elsewhere in this Charter shall be followed (*VI.B, VIII.B, VIII.D, IX.B, IX.E, IX.F, XI.B, XI.D, XII.C, XIII.B, XIII.C*).

If the proposal for reconfiguration is limited to the creation of a new undergraduate college, the governance process, rules and procedures in *IX.F* of this Charter shall be followed; a new school, *XI.F*; a new department, *XII.E*; and any other new academic or research unit, *XIII.C*.

If the proposal for reconfiguration involves changes that affect two or more colleges, it shall be submitted to the Vice president for Academic Affairs (VPAA), and it shall include estimated costs and benefits. The VPAA shall then submit the proposal to the SEC, which shall call ~~of~~ a meeting of the Committee on Academic Affairs (CAA) to determine if the proposal appears to have academic integrity as defined by the criteria listed in *XV.A* above.

If the proposal is determined to have academic integrity, the VPAA shall appoint and charge an Academic Reconfiguration Committee (ARC), which shall include representatives from the faculty approved by SEC. The VPAA will establish a timeframe for the completion of the ARC's review process. In the event that there is more than one reconfiguration proposal having academic integrity (as defined in *XV.A* and *XV.B*), the VPAA shall appoint more than one ARC. The VPAA, or his/her designee, shall be the chair of each ARC. Written documentation of the ARC membership and committee charge shall be attached to the proposal throughout the process.

SECTION C: REVIEW AND APPROVAL PROCESS FOR RECONFIGURATION  
PROPOSALS THAT AFFECT TWO OR MORE COLLEGES

*XV.C*

The ARC shall consider each proposal affecting two or more colleges on the basis of its potential impact on the university community. ARC will meet with the academic units affected, appropriate collegiate advisory groups, deans of affected areas, students from the academic units affected, and others as appropriate. All proposals containing reductions in academic offerings shall also give appropriate attention to reductions or reassignments of related administrative staff, classified staff, and other support services.

As part of the review process, a realistic resources requirement statement, including the proposal's estimated costs, shall be submitted to the Vice President for Finance and Administration (VPFA) who shall prepare a resource impact analysis of the proposal and request that the Fiscal Affairs Advisory Committee and University Budget Committee (FAAC/UBC) review and comment on the analysis. This resource review and analysis, including the proposal's estimated costs, shall accompany the proposal throughout the review process as it is considered by the various bodies.

If the ARC approves the proposal, the recommendation from ARC shall be submitted to the affected colleges/units and the VPAA who shall forward the proposal, the recommendation from ARC, and the opinions and comments of the affected colleges/units to the Undergraduate Council and/or Graduate Council, as appropriate, for review and approval. Upon a positive recommendation, the Undergraduate Council and/or Graduate Council shall transmit the results of deliberation, along with the proposal and the comments and recommendations of previous bodies, to the VPAA. The VPAA then reviews and approves the proposal and transmits it to the CAA. The CAA shall then review the proposal and transmit it to the SEC for review and placement on the Faculty Senate agenda. The Faculty Senate shall act upon the recommendation(s) of these bodies, and the established procedures for the implementation of Senate actions shall be followed.

If the reconfiguration is approved by the President and the Board of Trustees, the VPAA shall establish a timetable for the changes and develop appropriate budgetary transfers.

**PART B**

**DIVISION I**

**FACULTY HANDBOOK**

**PART B: DIVISION I**  
**FACULTY HANDBOOK**

Division I shall be the provisions of the Faculty Handbook policies and procedures established in accordance with the authority set forth in *IV.C* and in *XIII.B*. Any changes in the policies and procedures herein require a two-thirds vote of those Senators present and legally entitled to vote, excluding blanks or abstentions.

## SECTION A: FACULTY DEVELOPMENT

The university supports faculty development through the various centers, including the Center for Faculty Excellence (CFE), and through university-provided funding of developmental activities administered by the Faculty Development Committee. Because these titles shift and vary as new forms of research support and opportunities are developed, Faculty in search of developmental support may find the most up-to-date information on the Provost's Website.

### 1. Center for Faculty Excellence

The Center for Faculty Excellence provides faculty with resources and an environment that facilitates excellence in teaching.

The Center maintains liaison with the Faculty Development Committee, a University standing committee.

### 2. Funding for Faculty Development

The Faculty Development Committee reviews applications for speed grants and developmental grants. That committee also establishes and periodically revises dollar limits per grant and per faculty member per year. It also reviews applications for improvement leaves. Complete guidelines and application information may be obtained at any time from the Office of the VPAA.

## SECTION B: FACULTY RETIREMENT

1. For information on faculty retirement, please see the Collective Bargaining Agreement between the University and the Bowling Green State University Faculty Association.

2. Benefits for Retirees

The university shall commemorate a faculty member's retirement in an event that accords the person individual and dignified recognition. Moreover, the deans of colleges are charged with a special responsibility to foster a positive attitude toward retirees that views them as valued resources.

The following benefits are awarded faculty who have been full-time employees or continuing part-time employees upon retirement.

- a) A permanent ID card that designates the individual as retired faculty;
- b) The same library and computer privileges as current faculty;
- c) The same discounts or charging privileges granted to current faculty;
- d) Appropriate office space, whenever possible, and the requisite support services whenever a retired faculty member is engaged in part-time instruction or other paid services;
- e) An individual mailbox upon request in the same location as those of other department/school faculty;
- f) A faculty/staff parking permit upon request and at no charge to the retiree;
- g) Placement on the mailing list for *At Bowling Green*;
- h) The same ticket arrangements and prices for intercollegiate sports events and musical and drama productions when requested;
- i) Continuing access to the recreational facilities of BGSU, when requested, on the same basis as current faculty;

3. Retirement Counseling

Information about procedures to apply for retirement benefits and about available payment alternatives may be obtained from the office of human resources or the vendor of the chosen retirement plan.

4. Instructional Fee Grants for Retirees and Dependents

Retired faculty have the opportunity to audit or take courses as regulated by *B-I.C.2*.

In addition, undergraduate instructional-fee grants will be extended to dependents, likewise as regulated by *B-I.C.*

5. Term Life Insurance Option

Eligible retirees will have the option of continuing their term life insurance program on the same formula as current full-time faculty, i.e., two and one-half times the base salary adjusted for part-time employment. Retirees who agree to post-retirement employment with the University will pay the scheduled annual premium applicable to their new salaries for the life insurance coverage. This option must be exercised at least 90 days prior to the date of official retirement.

## SECTION C: FEE WAIVER POLICY

### 1. Full-Time Faculty Members

For the fee waiver policy benefits for bargaining unit faculty members, please see the Collective Bargaining Agreement between the University and the Bowling Green State University Faculty Association.

### 2. Retired Faculty/Staff Members

#### a) Eligibility

A full-time faculty/staff member who has formally retired from the university with ten years of continuous full-time BGSU service is able to receive the same fee waiver benefits as an active full-time faculty member. If a faculty/staff member was a part-time faculty/staff member at the time of retirement, the faculty/staff member must have the equivalent of ten years of full-time service (20,800 service hours for staff or 240 credits of instruction taught if faculty).

#### b) Benefit

For the fee waiver benefit for a faculty/staff member that retired with ten years of full-time service from the university, please contact the Office of Human Resources. For a faculty/staff member that was part-time at the time of retirement, refer to section B-I.C.3.c)(1)(a). For a faculty member that was part-time at the time of retirement, refer to section B-II.D.3.c)(2)(a). Please note that when an employee fee waiver is requested, the policy in force at the time of submission will be adhered to.

#### c) Procedure

- (1) The retired faculty/staff member completes the Employee Fee Waiver Application, which is located on the Office of Human Resources (OHR) website.
- (2) The retired faculty/staff member forwards the application to the Office of Human Resources for processing. An Employee Fee Waiver Application must be completed for every semester in which the retired faculty/staff member is registered for courses.
- (3) An incomplete Employee Fee Waiver Application will not be processed by the Office of Human Resources. It will be returned to the retired faculty/staff member for completion.
- (4) The Employee Fee Waiver Application should be received by the Office of Human Resources at least eight weeks prior to the commencement of the academic semester.

- (5) The Employee Fee Waiver Application must be received by the Office of Human Resources on or before the last day of the current semester in which the application is for. OHR will not process retroactive applications for previous semesters.
  - (6) The retired faculty/staff member enrolls in coursework through the Office of Registration and Records.
  - (7) The retired faculty/staff member's enrollment will not prevent a regularly registered student from attending the course.
  - (8) A retired faculty/staff member may not receive fee waiver benefits as both a retired faculty/staff member and as a dependent in any academic year.
- d) Responsibility for fees. For the responsibility for fees for retired faculty/staff member fee waivers, please contact the Office of Human Resources.
- e) Reciprocity

Only faculty/staff members that were full-time at the time of retirement with ten years of full-time service from the university are eligible to use the reciprocity agreement. Contact the Office of Human Resources.

### 3. Part-Time Faculty/Staff Members

- a) Staff Eligibility
- (1) For the purposes of this policy, a part-time staff member is one who works less than 40 hours a week on a regular schedule and whose Staff Action Form and/or contract indicates part-time status. Part-time staff members that have completed the equivalent of one year of full-time service at BGSU (2080 hours) are eligible for an employee fee waiver.
  - (2) The staff member fee waiver is prorated according to the percentage of time a staff member works per week. Staff members who work:
    - (a) 75% to 99% (30 or more hours worked per week) are eligible to take a maximum of 12 credit hours per academic year (summer, fall, spring), but no more than 8 per semester
    - (b) 50% to 74% (20-29 hours worked per week) are eligible to take a maximum of eight credit hours per academic year (summer, fall, spring)
    - (c) 25% to 49% (10-19 hours worked per week) are eligible to take a maximum of four credit hours per academic year (summer, fall, spring)
    - (d) Less than 25% = no benefit available

b) Part-Time Faculty Eligibility

- (1) For the purposes of this policy, a part-time faculty member is one who works less than 40 hours a week on a regular schedule and whose contract indicates part-time status. Part-time faculty who have completed the equivalent of one year of full-time service at BGSU (24 hours of instruction in consecutive academic years) and continue to teach at least one course per academic year thereafter, are eligible for a faculty/staff member fee waiver.
- (2) The faculty member's fee waiver is prorated according to the number of credit hours the faculty member teaches per academic year. Faculty who teach:
  - (a) Two to five hours per academic year are eligible to take a maximum of three credit hours per academic year (summer, fall, spring)
  - (b) Six to eight hours per academic year are eligible to take a maximum of six credit hours per academic year (summer, fall, spring)
  - (c) Nine or more hours per academic year are eligible to take a maximum of nine credit hours per academic year (summer, fall, spring), but no more than eight credit hours per semester

c) Procedure

For the procedure for application for part-time faculty/staff member fee waivers, please contact the Office of Human Resources.

d) Responsibility for Fees

For the responsibility for fees for part-time faculty/staff member fee waivers, please contact the Office of Human Resources.

e) Payroll taxes

For payroll taxes for part-time faculty/staff member fee waivers, please contact the Office of Human Resources.

f) Reciprocity

Part-time faculty members are not eligible for the reciprocity agreement.

4. Dependents of Part-Time Employee

There is no dependent fee waiver benefit for part-time faculty and staff members.

5. Dependents of Post Doctoral Employee

There is no dependent fee waiver benefit for post-doctoral faculty and staff members.

6. Cohabitant Spouse and/or Child of a Retired Faculty/Staff Member

a) Eligibility

The cohabitant spouse, child and/or children of a permanent full-time retired faculty/staff member who has completed 10 years of continuous full-time service at BGSU and retires from BGSU and were the dependents of the faculty/staff member at the time of retirement are eligible for the dependent fee waiver.

b) Benefit

Dependents may either complete a course on an audit or grade basis. The fee waiver applies to courses that are eligible for credit hour(s) only at BGSU. As long as the child is being claimed as a tax dependent (pursuant to the guidelines of Section 151 of the IRS), he/she may continue to utilize the fee waiver through the end of the calendar year the child turns age 24.

c) Please note that when a dependent fee waiver is requested, the policy in force at the time of submission will be adhered to.

d) Procedure

For the procedure for application for fee waivers for a cohabitant spouse and/or child of a retired faculty/staff member, please contact the Office of Human Resources.

e) Responsibility for Fees

For the responsibility for fees for application for fee waivers for a cohabitant spouse and/or child of a retired faculty/staff member, please contact the Office of Human Resources.

7. Appeals of the application of these procedures should be made to the President of the University.

## SECTION D: EMPLOYEE RESPONSIBILITIES

### 1. The Patent Policy

#### a) The Patent Advisory Committee

##### 1) Purpose and Authority

By regulations adopted by the Board of Trustees, the Patent Advisory Committee is charged with the responsibility for advising the President in carrying out the Patent Policy of BGSU.

##### 2) The President or designee shall appoint a Patent Advisory Committee consisting of three or more faculty members and two or more administrative staff members of BGSU. Such Committee shall:

- (a) Review all applicable inventions and discoveries and determine and advise in each individual case whether a discovery or invention resulted from research, investigation, or activity conducted in any laboratory or facility of the BGSU and is the property of BGSU.
- (b) Determine and advise the President whether or not the discovery or invention, which is the property of BGSU, has a sufficient value or is of a sufficient interest to BGSU to warrant its retention; or, if the same should be relinquished to the inventor or otherwise dealt with.
- (c) Advise the President about acquiring on behalf of BGSU, by agreement, on such terms and conditions as it deems appropriate, an interest in such patentable discoveries and inventions in those situations in which it shall have been determined that the discovery or invention does not otherwise belong to BGSU.
- (d) Determine and advise the President whether or not to pursue the patentability and development of a discovery or invention that is the property of BGSU.
- (e) Recommend to the President appropriate courses of action, including prospective purchasers or licensees of inventions or discoveries, and advise the President on the terms and conditions of any agreements.

#### b) Procedure and Regulations Governing Invention Disclosures to be Submitted to the Patent Advisory Committee

##### 1) The Patent Advisory Committee shall evaluate inventions submitted to it to determine:

- (a) If the invention is such that BGSU has no rights thereunder. For example, the Committee shall consider whether or not the invention was developed under a

sponsored research contract in which the grantor is given all rights or whether or not the invention was made without using BGSU facilities.

- (b) If the invention, as the property of BGSU, requires further legal protection and can be licensed or otherwise used to produce royalty or other income to BGSU and the inventors.

The inventor(s) shall ordinarily be given an opportunity to present all relevant information and recommendations to the Committee in writing or in person.

After making the above determinations, the Patent Advisory Committee shall make its recommendations to the President of BGSU. The President is empowered and authorized to act on or reject such determinations.

Through its Chair, the Patent Advisory Committee shall maintain liaison with the University Patent Counsel or other agents in making patentability searches, securing proper legal protection for the selected inventions, and in obtaining the maximum benefit therefrom.

- 2) The President of BGSU is hereby empowered and authorized, after receiving the advice of the Patent Advisory Committee, and after reporting to the Board of Trustees, to act on or reject the Patent Advisory Committee's determinations, and to sell, assign, convey, or grant on behalf of BGSU any such discoveries and inventions or any rights or shares in such discoveries and inventions, including patent rights, to such persons, firms, or governmental agencies for such consideration or upon such terms and conditions, including dedication to the public, as shall be deemed by the President, after consultation with the inventors, to be in the proper and best interest of BGSU.

### 3) Procedures

Recognizing that time is of the essence in securing legal protection for inventions, the Patent Advisory Committee shall meet expeditiously as required to carry out its defined duties. In its evaluation of inventions, the Patent Advisory Committee shall normally communicate its decisions and recommendations in writing to the President of BGSU within three months of the receipt of the disclosure. The inventor(s) shall be informed of the decision of BGSU with respect to the submitted invention within six months of the date of receipt of the disclosure.

### 4) The Inventor's Responsibilities: Submission of Disclosures and Assignment of Exclusive License

Any faculty member, student, or staff member who has made or participated in the conception of an invention or discovery using BGSU facilities shall submit to the Vice President for Research and Economic Development an Invention Disclosure Form completed to the fullest extent possible. At the same time, a copy of the

completed Invention Disclosure Form shall be submitted, for informative purposes, to the head of the appropriate administrative unit (Department Chair, Program Director, Area Head, Supervisor, etc.). Use of the standard Invention Disclosure Form, which is available from the Vice President for Research and Economic Development, is recommended to assure that the Patent Advisory Committee receives all necessary information. Additional drawings, photos, reports, etc., may be attached to the Invention Disclosure Form as necessary to complete the disclosure.

Because the completed Invention Disclosure Form may be the first complete written record of the invention, it should be signed and dated by the inventor(s) and by at least one witness who is competent to understand the invention.

c) Liaison with Attorneys and Prospective Licensees, etc.

The Office of the Vice President for Research and Economic Development shall provide liaison among the inventor(s); Patent Advisory Committee; Legal or Patent Counsel; external sponsors of research; prospective licensees; developers, promoters, and other persons having an interest in acquiring or developing rights in inventions or discoveries from BGSU. The Vice President for Research and Economic Development shall convey significant matters to the Patent Advisory Committee for review, policy guidance, and recommendations to the President.

d) Records, etc.

The Patent Advisory Committee shall keep appropriate records of all such submitted inventions, patent application, patents and agreements, etc., as are necessary to perform its functions.

2. Resume Form

It is the responsibility of each faculty member to maintain current professional career data in the Office of the VPAA. This should be done through the department/school and college office. The following form is suggested.

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SUGGESTED PROFESSIONAL RESUMÉ FORM FOR FACULTY

(Your name in capital letters)

(In all categories, please respond chronologically with the most recent activity at the top of the list.)

- I. Academic Degrees
- II. Academic Positions
  - A. Teaching Positions
  - B. Administrative Positions
- III. Non-academic Positions

(List all salaried positions in business, industry, or government. Do not list minor political offices or appointments.)
- IV. Teaching Experiences or Academic Service
  - A. Teaching Experiences

(List the courses you have taught and the number of years of experience with each course. Do not list "Problems" or "Readings" courses.)

    1. Undergraduate Courses
    2. Undergraduate-Graduate Courses
    3. Graduate Courses
    4. Other Teaching. (List here interdisciplinary courses, supervision of students teachers, workshops, or courses conducted to teach graduate assistants to teach or other kinds of teaching unique to a college or university setting.)
    5. Thesis and Dissertation Students. (List here those students for whom you served as the major research advisor and as Chair of the thesis or examining committee.)
      - a. Theses:

<u>Name</u>	<u>Degree</u>	<u>Year</u>	<u>University</u>
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      - b. Dissertations:

<u>Name</u>	<u>Degree</u>	<u>Year</u>	<u>University</u>
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    6. Membership on Dissertation Committees:

<u>Name</u>	<u>Degree</u>	<u>Year</u>	<u>University</u>
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    7. Membership on Thesis Committees:

<u>Name</u>	<u>Degree</u>	<u>Year</u>	<u>University</u>
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  - B. Academic Support Service (Applies only to Instructional Media, Counseling, Library.)
- V. Curriculum Development

(List courses added to the curriculum, workshops, etc.)

  - A. Courses
  - B. Workshops
  - C. Educational Materials (filmstrips, films, TV materials, etc. Give publisher, date of publication, etc.)
- VI. Professional Development

(List courses taken, workshops, improvement leaves, post-doctoral training, etc.)

VII. Academic Advising

A. Undergraduate

Year

Number of Students Assigned

B. Graduate

Year

Number of Students Assigned

VIII. Research Interests

(Give the speciality or specialities within your discipline in which you have high research competence(ies) and with which you prefer to be identified.)

IX. Research Projects and Grants

(List the funding agency, the agency project number if known, the dates, the dollar amount of support, and the title of the project. Do not list pending or unsuccessful applications. Any special research equipment or travel grants should be included under this heading.)

X. Publications or Equivalencies

A. Publications

List only articles published or accepted for publication and/or books published or assigned a publication date. In all cases include publisher, date of publication, pages and other appropriate information.

1. Books

- (a) Textbooks
- (b) Scholarly books
- (c) Anthologies and all edited texts designated as such
- (d) Chapters of books
- (e) Indexes and other bibliographic texts

2. Journal Articles

- (a) Refereed Articles
  - (1) Journals
  - (2) Proceedings
- (b) Non-refereed Articles
  - (1) Journals
  - (2) Newsletters
  - (3) Miscellaneous
- (c) Editorships of Journals

3. Book Reviews

- (a) Book review essays
- (b) Book reviews

4. Abstracts

5. Reports

- (a) Published
- (b) Unpublished

OR

B. Equivalencies

Spatial Arts

(List appropriate information, dates, locations, etc.)

1. Invited BGSU art shows
2. Invited external art shows
3. Juried exhibitions
4. Works in permanent collections
5. Touring exhibits
6. One-person shows
7. Prizes

OR

Musical Arts

(List appropriate information, dates, locations, etc.)

1. Performances
  - a. Local performances
  - b. External performances
2. Original Musical Compositions published, recorded or performed (List appropriate information, dates, locations, etc.)
  - a. Commissioned original compositions
  - b. Original compositions
  - c. Transcriptions

OR

Dramatic Arts

1. Directing (Play, where performed, dates, sponsor/ producer)
2. Acting (Play, where performed, dates, sponsor/ producer)
3. Original play (Name, publisher or producer, dates, location, etc.)
4. Scenery and costume design (Play, where performed, dates, sponsor/producer)

OR

Patents Awarded

(List patent number, date, etc.)

OR

Product or Engineering Designs

(Describe product, company accepting design, etc.)

OR

Other

XI. Papers Read to Professional Societies

- A. Invited papers
- B. Refereed papers
- C. Non-refereed papers

XII. Service

- A. Department
- B. College
- C. University
- D. Professional

(List only offices held or other appropriate professional service such as chairing a symposium or panel discussion.)

XIII. Research or Professional Consultantships

XIV. Membership in Professional Organizations

XV. Honors and Awards

- A. Membership in Honor Societies
- B. Awards (List award, date, sponsor, etc.)

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3. Smoking Regulations (Board of Trustees, May 7, 1993)

Smoking is prohibited inside all buildings, structures, and vehicles owned or leased by Bowling Green State University, including those at the Firelands Campus.

4. Solicitation Policy (Faculty Senate, 10-2-84)

This policy is framed to permit all Bowling Green State University employees to perform their jobs free from intrusions and to ensure that the mission of the University shall proceed unhampered. It also is recognized, however, that the atmosphere of a University requires "academic freedom, the full freedom of speech, freedom to teach, to learn, and to conduct inquiry in a spirit of openness necessary to the acceptance of criticism, the expression of differing opinions, and the pursuit of truth" (*Article I.A* of the Academic Charter).

Furthermore, "all members of the University Community and the Trustees have legitimate concerns about all aspects of the University" (*Article I*) and "The persons who create and maintain the University constitute the University Community" (students, faculty, administrative staff, classified staff, administration).

a) Definitions

- (1) Working Time: Those hours during which faculty employees are engaged in the primary University function for which they were hired. Classified and administrative staff working time shall mean accepted work-shift or hours during which employees are engaged in the primary function for which they were employed.

- (2) Internal organization: Any organization or association made up exclusively of University employees. Local affiliation with a regional, state, or national organization shall not preclude a University group's being defined as an internal organization.
- (3) External organization: Any organization or association of individuals that is not made up exclusively of University employees.
- (4) Solicitation: Any activity that is designed to advertise, promote, or sell any product or commercial service, or encourage support for or membership in any group, association, or organization.

b) Disruption of Working Time

A person's ability to perform assigned duties while engaged in the primary University function for which the employee was hired shall not be impaired by any activity conducted for the purpose of advertising, promoting, or selling any product or commercial service or for encouraging or being encouraged to join any group, association, or organization.

c) Use of Facilities

(1) Campus mail

The internal campus mail system is for the exclusive use of the University and any organization sponsored by (or affiliated with) the University or made up exclusively of students or University employees (whether or not affiliated with state or national societies or associations). No commercial use shall be made of the campus mail system.

(2) Space

Any organization or individual wishing to use University space to advertise, promote, or sell any product or commercial service or wishing to encourage membership in any group, association, or organization shall obtain authorization of the person or office (e.g., the Space Assignments Office) responsible for that space or facility. Normally, requests to reserve or have access to University space must be filed forty-eight hours prior to a meeting or visit. The request shall state:

- (a) the purpose of the proposed visit; and
- (b) the name of any person(s) or alternates who desire access to the campus.

The Office of Space Assignments will attempt to locate a designated area for use by the nonemployee or organization submitting the request and will then issue a permit designating the room and the date and time it may be used. If two or more requests

for access to a designated area for the same or overlapping times have been made, the University will attempt to provide alternate designated areas. If no alternate designated area is available, the University will grant access to the available designated area on a rotating basis with equal time for its use. If the designated areas are unavailable due to a prior reservation, the University will immediately notify the requesting party of such conflict.

(3) Bulletin boards or other public access areas

Any employee may post notices or other appropriate information on designated employee bulletin boards or other designated public access areas. If the notice contains information about an on-campus meeting during which a product or commercial service is to be advertised, promoted, or sold or during which membership in a group, association, or organization will be advocated, the notice shall be consistent with (in terms of designated area, time, and date) the permission granted to the organization.

d) Distribution of Literature

Distribution of literature by any external organization or nonemployee within any building on campus shall be limited to public access areas or to other designated areas reserved according to procedures described above in *c*) (2)(space).

e) Violations

Any visitor who violates this policy may be denied use of University facilities for up to one year. Any employee who violates this policy may be disciplined under the conditions and in accordance with the procedures established by and published within the appropriate employee handbook.

## SECTION E: ETHICAL RESPONSIBILITIES

Faculty members shall follow professional ethical standards in conducting the affairs of the University. These standards are articulated in the Statement on Teaching Responsibilities, the Sexual Harassment Policy, the Racial and Ethnic Harassment Policy, the Policy on Violence, the Drug-Free Workplace Policy and Consensual Amorous Relationship Policy.

### 1. Teaching Responsibilities

#### a) Introduction

Generations of teacher-scholars have recognized that membership in the academic profession carries with it special responsibilities. The nature of the educational process, the circumstances necessary to search for truth, and the use, extension, and transmission of knowledge have resulted in various statements of the concept of academic freedom. Always, this demand for freedom has been accompanied by an awareness of a concomitant responsibility, which has been part of the conduct of reasonable, learned, and humane men and women who practice the worthy and dignified profession of teacher-scholar.

Although many aspects of this sense of responsibility have been, and will remain, unwritten and understood, the faculty of BGSU wishes to reaffirm in a formal way its recognition of its special responsibilities as set forth in the following statement.

#### b) Statement

The faculty of BGSU reaffirms that the following are an accepted part of their responsibilities as teacher-scholars:

- (1) The responsibility to assure the student's freedom to learn, through maintaining an atmosphere conducive to free inquiry, the respect of the student as an individual, and the evaluation of students based on professionally judged academic performance without regard to personal or political matters irrelevant to that performance.
- (2) The responsibility to exercise intellectual honesty, through the development and improvement of one's scholarly competence, the exercise of critical self-discipline and judgment, and the avoidance of subsidiary interests that compromise or hamper freedom of inquiry.
- (3) The responsibility to state clearly the objectives of the courses taught, to direct the instruction toward the fulfillment of these objectives, and to avoid the persistent intrusion of material irrelevant to the established course definition or apart from the faculty member's area of scholarly competence.

- (4) The responsibility to participate meaningfully and constructively in the governance of the institution, and the maintenance of high professional standards in the objective evaluation of colleagues.
- (5) The responsibility to meet classes and other academic obligations regularly and at scheduled times, to assist in arrangement when emergencies intervene, to maintain reasonable opportunities for student contact and conference, and to provide information on progress and evaluation as part of the student learning experience.
- (6) The responsibility to determine the amount and character of the work done outside the institution with due regard to one's paramount responsibility within it.
- (7) The responsibility, while acting as a private citizen with the rights and obligations of any citizen, to avoid creating the impression that one speaks or acts for the University.
- (8) The responsibility to observe the stated regulations of the institution, but to guard the right to criticize and seek revision peacefully.

## 2. Equal Opportunity and Anti-Harassment Policies

Bowling Green State University is committed to providing faculty, staff and students with an environment where they may pursue their careers or studies free from discrimination. The Office of Equity, Diversity and Immigration Services is responsible for administering the University's Equal Opportunity and Anti-Harassment Policies. The office exists, in part, to ensure that all members of the University community understand their responsibility to create and maintain an environment free from discrimination and harassment.

The University pledges itself to the broad application of the Civil Rights Act of 1964, as amended, in particular Titles VI and VII, Executive Order 11246, Title IX of the Education Amendments of 1972, the Americans With Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, the Vietnam ERA Veterans' Readjustment Assistance Act of 1974, and Chapter 4112 of the Ohio Revised Code.

### a) Equal Employment Opportunity Policy

Bowling Green State University is committed to providing equal employment opportunity. The University prohibits discrimination against employees and applicants for employment on the basis of race, sex, sexual orientation, color, national origin, ancestry, religion, age, marital status, disability, or status as a special disabled or Vietnam-era veteran. The Office of Equity, Diversity and Immigration Services is responsible for equal opportunity compliance.

### b) Equal Education Opportunity Policy

Bowling Green State University is committed to providing equal education opportunity. The University provides access to educational programs and activities without regard to race, sex, sexual orientation, color, national origin, ancestry, religion, age, marital status, disability, or status as a special disabled or Vietnam-era veteran. The policy with respect to sexual orientation does not apply to the University's relationships with outside organizations including the federal government, the military, and ROTC. The Office of Equity, Diversity and Immigration Services is responsible for equal educational opportunity compliance.

c) Anti-Harassment Policy

Bowling Green State University strives to provide an environment that is free of harassment. The University's policy against discriminatory harassment applies to all faculty, students, staff, contractors, and vendors. The policy covers harassment based on sex, sexual orientation, race, color, religion, ancestry, national origin, disability, age, and status as a special disabled or Vietnam-era veteran. Sexual harassment is the subject of a separate policy which is more fully discussed below. Members of the University community should bring problems or questions regarding discriminatory harassment to the attention of the Office of Equity, Diversity and Immigration Services.

d) Sexual Harassment

Sexual harassment is a violation of Chapter 4112 of the Ohio Revised Code. Title VII of the Civil Rights Act of 1964, and Title IX of the Educational Amendments of 1972. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

- (1) submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment or academic pursuits;
- (2) submission to or rejection of such conduct by a person is used as the basis for employment decisions or academic decisions affecting such individual; or
- (3) such conduct has the purpose or effect of unreasonably interfering with a person's work or academic performance or creating an intimidating, hostile, or offensive working or education environment.

Members of the University community should bring problems or questions regarding sexual harassment to the attention of the Office of Equity, Diversity and Immigration Services.

e) Retaliation

Retaliation against members of the Bowling Green State University community who exercise their right to file charges of discrimination or harassment is strictly prohibited by state and federal law and University policy. Retaliation is prohibited whether or not the

charging party prevails in the original charge. Subsequent to, or contemporaneous with the charge, no agent of the University may harass, coerce, intimidate, or discriminate against an individual who has filed a complaint or participated in the complaint resolution process. Charges of retaliation will be investigated by the Office of Equity, Diversity and Immigration Services.

f) Grievance Procedures

The procedures outlined below are designed to provide sufficient flexibility with which to deal with the wide range of incidents that fall under the terms "unlawful harassment or discrimination including sexual, racial, and ethnic harassment." They are intended to be responsive to the situation at hand and will be as formal or informal as the allegations under review indicate.

(1) Procedure for the Complainant

- (a) A person who believes that he/she has been unlawfully harassed or discriminated against should contact the Office of Equity, Diversity and Immigration Services. Staff in this Office will initially discuss the matter with the complainant to ascertain, as fully as possible, the validity of the charges and the scope of the problem. At this time, it will be determined if there is a basis for investigation.
- (b) Initial discussions with staff in the Office of Equity, Diversity and Immigration Services should not make reference to the name of any accused person unless the complainant is ready to file a formal complaint and proceed with an investigation.
- (c) Before the Office can begin its investigation, the allegations shall be submitted, in writing, to the Director of Equity, Diversity and Immigration Services. Until this occurs, the matter will not be discussed with anyone other than the complainant.
- (d) An investigation will be conducted by a staff person in the Office of Equity, Diversity and Immigration Services only if the complainant has filed a formal, written complaint.
- (e) The role of the Office of Equity, Diversity and Immigration Services in the processing of the complaint will include, but is not limited to, the following:
  - i) consultation with the complainant;
  - ii) discussion with appropriate persons suggested by the complainant who may have knowledge of the situation and can be of assistance in establishing the facts of complaint;
  - iii) preparing a complete investigative report of the complaint, including recommendations for resolution, this shall be submitted, in writing, to the Vice President to whom the respondent reports for appropriate

administrative action, with copies being sent to the complainant and the respondent.

- (f) If the complainant is not satisfied with the action taken by the Vice President, the complainant may appeal, in writing, within seven calendar days of the notification of the Vice President's decision, to the President of the University, who will then review the appeal and respond, in writing, within ten calendar days after receiving the appeal, to all parties—respondent, complainant, Director of Equity, Diversity and Immigration Services, and the Vice President to whom the respondent reports—concerning the disposition of the appeal.

(2) Procedure for the Respondent

- (a) Investigations regarding alleged instances of unlawful harassment and discrimination will be conducted by staff in the Office of Equity, Diversity and Immigration Services only if a formal, written complaint has been filed with the Director of Equity, Diversity and Immigration Services.
- (b) The role of the Office of Equity, Diversity and Immigration Services in the processing of the complaint will include, but is not limited to, the following:
  - i) consultation with the respondent;
  - ii) discussion with appropriate persons suggested by the respondent who may have knowledge of the situation and can be of assistance in establishing the facts of the complaint;
  - iii) preparing a complete investigative report of the complaint, including recommendations for resolution, this shall be submitted, in writing, to the Vice President to whom the respondent reports for appropriate administrative action, with copies being sent to the complainant and the respondent. All files of the grievance shall be kept in the Office of Equity, Diversity and Immigration Services for a minimum of three years. After this three- year period, maintenance of files should be consistent with University policy.
- (c) If the respondent is not satisfied with the action taken by the Vice President, the respondent may appeal, in writing, within seven calendar days of the notification of the Vice President's decision, to the President of the University, who will then review the appeal and respond, in writing, within ten calendar days after receiving the appeal, to all parties—respondent, complainant, Director of Equity, Diversity and Immigration Services, and the Vice President to whom the respondent reports—concerning the disposition of the appeal.

(3) Principles

In investigating complaints of unlawful harassment and discrimination, the following principles will be adhered to:

- (a) Each complaint will be handled on an individual, case-by-case basis, taking a look at the record as a whole and at the totality of circumstances.
- (b) The investigation will be conducted as fairly and expeditiously as possible.
- (c) In investigating complaints of sexual harassment, confidentiality will be accorded with the utmost respect for both the complainant and the respondent.
- (d) A person bringing forth an honestly perceived complaint of sexual harassment will not suffer any type of retaliation regardless of the outcome of the complaint.
- (e) The complaint will be resolved in a manner which is consistent with this policy and also fair and equitable to all parties concerned.

### 3. Policy on Violence

It is the policy of Bowling Green State University that acts of violence, threats of violence, or intimidation will not be tolerated. Bowling Green State University recognizes the importance of providing a safe environment for all its members. In this community, victims/survivors will be treated with dignity and respect. Any persons found in violation of this policy may be subject to disciplinary action (B-II.F.3 and B-I.E). Violators may also be subject to criminal prosecution.

### 4. Drug-Free Workplace Policy

In order to ensure the University's commitment to a quality educational and work environment, every faculty member, employee and student has a right to work and learn in an environment free from the effects of abuse of alcohol and other drugs.

Therefore, it is the policy of Bowling Green State University to prohibit the unlawful use, sale, dispensing, transfer, or possession of controlled substances, alcoholic beverages, drugs not medically authorized, or any other substance that may impair an individual's academic or work performance or pose a hazard to the individual, public, students, or employees of the University on its property or at any of its activities.

It is the responsibility of each faculty member, employee and student to adhere to this policy. If a violation of this policy occurs, support programs will be made available where appropriate. Disciplinary action may be taken up to and including dismissal or expulsion from the University and possible criminal prosecution. The University will make appropriate effort to provide rehabilitative support before giving consideration to termination of employment for cause as stipulated in *B-I.C.3.c)* of the Academic Charter and Sect. 3345.22-25 of the Ohio Revised Code.

## 5. Consensual Amorous Relationships Policy

The university takes seriously its duty to provide a place to study and work free of situations that may be construed as abuse of authority, an inappropriate conflict of interest, preferential treatment, or other unprofessional and unethical conduct. The policy below is established in order to avoid such instances.

- a) Within the University community, supervisors and faculty are not to have supervisory, evaluative, instructional, coaching, advisory, or other relationships with students or employees with whom they have or have had consensual amorous relationship.
- b) If an amorous relationship exists or develops, the faculty or staff member of superior rank must disclose the relationship to his/her immediate supervisor in a timely manner. The supervisor will then take steps to make alternate arrangements affecting one or both parties, to effectively discontinue any supervisory, evaluative, instructional, coaching, advisory, or other formal connections between them. If possible, such arrangements should be made in ways that respect the interest of all involved and will not be prejudicial toward or against either party.
- c) The decision of an immediate supervisor may be appealed by either or both parties to the next higher administrative level.
- d) Disclosure is the responsibility of those who engage in, or are about to engage in, amorous relationships within the University community. Failure to abide by this policy may result in disciplinary actions taken against any negligent party. The range of disciplinary actions would depend upon the circumstances and culpability of those involved. Disciplinary actions may include, but are not limited to, a verbal warning, a letter of warning, temporary reassignment, temporary suspension or other measures, as the case may warrant. The imposition of faculty sanctions beyond the written warning should abide by the policy on sanctions contained elsewhere in the Academic Charter. Disciplinary actions regarding administrative staff and classified staff are administered by the Office of the Executive Vice President; disciplinary actions regarding faculty are administered by the Office of the VPAA/Provost.

## SECTION F: CLASSROOM-RELATED RESPONSIBILITIES

The section on classroom-related responsibilities includes statements on writing skills, on class admission rosters, on class attendance, on classroom environment, on scheduling major assignments just prior to final examination week, on the final examination policy, on grade and grade reporting, and on the grade and absence appeals procedure.

### 1. Writing Skills

Because clear, logical, accurate, and articulate written communication is a necessary component of all scholarly and professional activity, the University urges all faculty members:

To assign writing in every course in which essay examinations, papers, or reports are at all appropriate,

To inform students that writing proficiency (organization or articulation) will be a component of the grading in the course,

To comment upon the competence with which information is organized and articulated in all written work,

To return such work to students,

To withhold grades on papers or reports until a satisfactory level of performance on them is achieved during that term,

To lower grades on all written work that does not achieve a satisfactory level of writing proficiency (organization or articulation),

To refer students with such difficulties to advisors and/or the Writing Laboratory.

### 2. Class Admission Rosters

On the first day of classes, faculty will receive a roster of students who have registered for each of their courses. Beginning with the second day of classes, each new student who appears in a class shall present an admission card (i.e., approved copy of a drop/add card), which will certify registration. Two weeks from the first day of classes, faculty will receive a corrected roster of students for each class. No drop cards will be sent for students who have dropped a course; their names will simply be omitted from the corrected roster.

Because corrections on the second computer roster determine the University's enrollment report to the Ohio Board of Regents, **it is imperative that faculty return all corrections to the Office of Registration and Records on the date specified.**

### 3. Class Attendance

The faculty believes that classroom activities are essential to learning and to the application of knowledge. The student is responsible for knowing and meeting all course requirements, including tests, assignments, and class participation, as indicated by the course instructor. The instructor has no obligation to give make-up examinations or to review other class work missed by a student as a result of absence, except under those specific conditions cited below (in 4. Exceptions to the Class Attendance Policy).

Although an instructor may accept a student's cause for an absence as a basis for making up major tests and examinations, the responsibility for making up work missed during absence rests with the student.

#### 4. Exceptions to the Class Attendance Policy

Under unique, yet foreseeable circumstances, exceptions to the stated class attendance policy may be made. These exceptions shall include cases of recognized weather emergency, excused absences for the observance of religious holidays, and military call-up situations.

- a. If, in the case of severe weather, an official agency such as the State Highway Patrol reports that hazardous driving conditions exist and that travel is not advised, then students who must commute to Bowling Green will be excused from classes without penalty. Upon return to each affected class, the student shall inform the instructor the student's inability to travel due to hazardous driving conditions.
- b. It is the policy of the University to make every reasonable effort allowing students to observe their religious holidays without academic penalty. In such cases, it is the obligation of the student to provide the instructor with reasonable notice of the dates of religious holidays on which he or she will be absent. Absence from classes or examinations for religious reasons does not relieve the student of responsibility for completing required work missed. Following the necessary notification, the student should consult with the instructor to determine what appropriate alternative opportunity will be provided, allowing the student to fully complete his or her academic responsibilities.
- c. Students who are members of the reserves, National Guard or other branches of the military may be called to serve with their units. It is University policy to provide appropriate accommodation to such students. A student who is required to report on or after the first day of final exam week will be allowed to complete all course work early and must contact his or her instructors in a timely fashion so as to make necessary arrangements. A student who is required to report prior to the first day of final exam week must contact his or her college office and choose between the various options presented. Regardless of the option selected, the student in this situation must also contact his or her instructors in a timely fashion so as to make necessary arrangements.

#### 5. Classroom Environment, Responsibility and Authority of Instructor

". . . reaffirms the present practice which places the primary responsibility for the classroom environment with the instructor. It is assumed that the administration will support this position providing that the instructors conduct themselves in a professional manner and in accordance with the University policies and regulations.

In this context, the use of recording devices in the classroom is the prerogative of the instructor, providing that the use of recording devices be consistent with the educational aims of the class and not to be used for any other purpose except by permission of the instructor."

6. Policy on Scheduling Major Class Assignments Prior to Final Examination Week

It is the academic policy of BGSU to discourage the giving of a test or a major quiz, or the assignment of a major project, with the exception of laboratory tests and the English proficiency examination, during the week prior to the final examination week.

7. Final Examination Policy

- a) A final examination should be given in all courses where appropriate.
- b) Consistent with traditional principles of academic freedom, the faculty member or group responsible for a course shall determine whether a final examination is or is not appropriate (such as in graduate seminars).
- c) Ohio Board of Regents specifies that an academic semester consists of sixteen weeks. The sixteenth week of the semester at BGSU is reserved for the scheduling of final examinations.
- d) Final examinations shall be administered at the times scheduled for that purpose, except with specific permission of the VPAA.<sup>1</sup>
- e) In those courses where a final examination is deemed inappropriate, faculty shall conduct other appropriate course-related activities during the period scheduled for final examination.
- f) Department Chairs shall be responsible for implementing this policy.

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<sup>1</sup>Permission of the Office of the VPAA may be secured by providing a memorandum in writing stating the time for which the examination is scheduled, the time at which it is desired to offer it, and the reason for the change. The memorandum should also certify that the students involved agree to the change and that provision has been made for make-up in all cases of conflict. This memorandum, endorsed by the Chair of the department and the Dean of the college involved, should be forwarded to the Office of the VPAA. An immediate response by telephone will be confirmed in writing by the next day. Permission will not be granted to reschedule examinations except during the designated final examination period. No permission from the Office of the VPAA is required in order to provide a make-up examination for one or two students on the grounds of conflict or other urgent reasons for being absent from the final examination.

## 8. Grades and Grade Reporting

Gradebooks are available through school or department offices. The University requires that grades be recorded for each student at the end of each semester only. Final examination schedules are announced every semester by the Registrar. Special rosters for grade reports will be sent to all faculty members by the Office of Registration and Records.

Grades turned in at the Office of Registration and Records are not changed unless:

- a) a demonstrable mechanical error has occurred or the grade has been changed as the result of a formal grade appeal;
- b) the Dean of the college approves in writing; and
- c) the student's Dean is notified in writing.

Information on the grading system and incompletes can be found in the General Bulletin.

## 9. Grade and Absence Appeals Procedure

### a) Appeals Procedure for Student Academic Grievances Against Faculty Members or Departments

- (1) Each University department shall designate a person or persons to receive grade and absence appeals from students. These persons shall not be major departmental administrators; they may be either tenured or untenured faculty members.
- (2) In the case of a department composed of fewer than five full-time members, the designated person(s) may be selected by the department from another department or other area within the school or college.
- (3) The role of the designated person(s) is to hear complaints, gather information, talk with both students and faculty, mediate disputes when possible, and/or identify appropriate channels for solving problems (whether within or outside the department).
- (4) If the matter is not then mediated, the student shall state the full particulars of the appeal in writing and submit them to the department Chair or policy committee. Notes shall be kept on proceedings at this level.
- (5) If the matter is not resolved at the departmental level, the student is free, of course, to pursue the case in other offices of the University as described below.
- (6) Each undergraduate college will establish an academic arbitration board of at least two faculty members and one student which will serve to hear appeals from students

who are not satisfied that the resolution of the appeal at the department level is fair. The department procedure will be followed first in all cases.

b) In Matters of Grade and Absence Appeals Only

- (1) The department and college procedures will include a consideration of all of the facts in the case. If at either level the facts are deemed to support the student's appeal, moral suasion may be brought to bear on the faculty member. If, on the other hand, either committee regards the findings as not supporting the appeal, that decision should be transmitted unequivocally to the student. However, the sole responsibility and authority for determining grades rests with the faculty member who assigned the grade.
- (2) Grade changes can be made by a letter to the college from the instructor and either department or college committee. The procedure must be started by the end of the fifth week of the academic term following the issuance of the grade, with the exception of the Spring semester, which must be appealed by the end of the fifth week of the Fall semester. All actions for grade changes must be completed by the end of the next semester, except for the Spring semester, when action must be completed by the end of the following Fall semester.

c) In Matters Other than Grade and Absence Appeals

If a student grievance is not resolved at the college level, the matter may be appealed to the VPAA.

## SECTION G: ACADEMIC HONESTY POLICY

This document incorporates by reference the Academic Honesty Policy as stated in the Student Code. All references found in this document refer to other portions of the Academic Honesty Policy.

### 1. Introduction

The Academic Honesty Policy is designed to enhance and sustain an environment of ethical and principled intellectual pursuit, consistent with the core values of the University. This policy is based on respect for intellectual property as well as for one another. Academic honesty is essential to the academy. Honest pursuit of academic challenges and higher learning are the essence of the University experience. Respect for one another is fostered when our academic environment is free from cheating, lying, and stealing not only of property, but ideas as well. Individual, personal quests for knowledge will expand and challenge students' creativity and intellect. Academic dishonesty is contrary to intellectual growth and pride in a job well done. Bowling Green State University graduates have met the challenges of achieving scholarly excellence and higher learning. Compromising academic honesty negatively impacts the foundations of our academy. We strive to nurture the respect inherent in the honest attainment of scholarly excellence. Discussion of the Academic Honesty Policy provides an opportunity to instill in students respect for honest and appropriate behavior.

#### a) Objectives

- (1) To communicate to all members of the University community the conviction of the University and its faculty that cheating and plagiarism are destructive of the mission of the University and are universally disapproved.
- (2) To state procedures for accomplishing the above objective by students, faculty, academic deans, and the Academic Honesty Committee.

#### b) Suggestions for Limiting Academic Dishonesty

- (1) Both students and faculty should initiate discussions that emphasize ethical and principled intellectual pursuit, consistent with the core values of the University, and denounce dishonest academic pursuits.
- (2) Academic units may develop for their faculty and students a statement of the application of the Academic Honesty Policy in their courses provided that it is consistent with this policy.
- (3) Each faculty member is encouraged to include in the introduction of a course:
  - (a) A statement of the application of the Academic Honesty Policy within the particular course provided that it is consistent with this policy.

- (b) The statement that every instance of dishonesty will be reported.
- (c) A definition of plagiarism and proper citation consistent with the accepted style (e.g., APA, MLA).
- (4) Faculty are encouraged to remove temptation to potential violations insofar as possible.
- (5) Faculty members should exemplify the highest levels of academic honesty at all times.

c) Definitions of Academic Honesty Violations

This list is not exhaustive of possible violations of this policy. These definitions are based on Gehring, Nuss, Pavela, *Issues and Perspectives on Academic Integrity*, published in 1986 by the National Association of Student Personnel Administrators, Inc. and on the Code of Student Rights, Responsibilities, and Conduct, 1998, the trustees of the University of Indiana. Lack of intent shall not be a defense against a charge of violating this policy. That is, it shall not be necessary to prove intent for a person to be in violation of this policy. Unawareness of the policy is not a defense.

(1) Cheating

Using or attempting to use unauthorized assistance, materials, information, or study aids in any academic exercise. Submitting substantial portions of the same academic work more than once without permission; or using another person as a substitute to take an examination or quiz.

(2) Forgery

Altering a score, grade, schedule change form or academic record; forging an instructor's or another student's signature.

(3) Bribery/Threats

Offering a bribe or making a threat or coercion related to a grade or an academic exercise.

(4) Fabrication

Falsification or invention of any information, data, research or citation in any academic exercise.

(5) Plagiarism

Representing as one's own in any academic exercise the words or ideas of another, including but not limited to, quoting or paraphrasing without proper citation.

(6) Facilitating Academic Dishonesty

Helping or attempting to help another to commit an act of academic dishonesty.

d) Definition of Terms

- (1) Academic dean is the Dean of the college in which the undergraduate student is enrolled. For graduate students, degree and non degree, the academic Dean is the Dean of the Graduate College. For guest students, the registrar is the academic Dean who may transfer the case to the appropriate academic Dean.
- (2) A day is one day when the University is holding classes.
- (3) A semester is one of the University's three academic terms: Fall, Spring, or Summer.
- (4) A year is three consecutive semesters.
- (5) A mark or grade assigned as a result of a violation of the Academic Honesty Policy is considered a sanction.

e) Time Limits

Time limits given in this policy are for the purposes of expediting hearings and appeals. Time limits for hearings may be extended at the Dean's discretion. Time limits for appeals may be extended at the discretion of the Chair of the Academic Honesty Committee, the Vice President for Academic Affairs, or the Board of Trustees of the University for cases within their respective jurisdictions.

Time limits set forth are goals and are not jurisdictional. No action taken shall be voided unless it appears that there has been an unreasonable amount of delay and that the appellant's right to a fair hearing has been violated.

f) Statute of Limitations

- (1) There is no statute of limitations on graduate theses or dissertations.
- (2) The statute of limitations for all other academic honesty violations shall be one calendar year after the date of graduation of the person(s) involved.

(3) When violations of academic honesty escape notice at the time of their commission, but are discovered at a later time and the statute of limitations has not expired, penalties may be imposed at the time the violation is discovered.

g) Advisers

The student and instructor are responsible for presenting their own cases. Both the student and the instructor have the right to be accompanied and assisted by advisers, but the advisers are not permitted to participate directly in any hearing nor may they appear in lieu of the student or instructor. The academic unit may send a substitute for the instructor only in cases of undue hardship.

h) Applicability of the Policy

This policy governs all matters of academic honesty, and alternative policies or procedures not provided for herein shall not be used.

i) Interpretations of the Policy

Questions regarding interpretations of this Academic Honesty Policy should be directed to the Chair of the Academic Honesty Committee.

j) Possibility of Legal Action

In addition to action taken by University officials for violations of the Academic Honesty Policy, violators may be subject to legal action in a court of competent jurisdiction.

2. Violations Discovered Before Graduation

This section shall apply to violations of the Academic Honesty Policy that are discovered before the student has graduated and that are within the statute of limitations. B-II.H.1.f)

a) Jurisdiction

(1) Instructor

(a) In any case in which the sanction to be imposed for the alleged offense is less than suspension, the instructor in the course shall have original jurisdiction. The instructor shall determine and impose the sanction. B-II.H.2.b)(4)

(b) If necessary, the instructor may delegate responsibility for conducting a conference and determining and imposing the sanction, in writing, to the Chair of the department in which the course is taught.

(2) Academic Dean

- (a) In any case in which the sanction to be imposed for the alleged academic honesty violation is suspension, dismissal or expulsion, or in which the alleged academic honesty violation is a second offense, the academic Dean shall have original jurisdiction. The academic Dean shall determine and impose the sanction. B-II.H.2.b)(5)
  - (b) The academic Dean may delegate to an individual or committee the responsibility for providing notices, arranging and conducting conferences/hearings, determining whether or not a violation has occurred, and recommending a course of action to the academic Dean. B-II.H.2.b)(5)
  - (c) Conferences/hearings shall be conducted under procedures established by the academic Dean.
- (3) Academic Honesty Committee
- (a) The Academic Honesty Committee shall have appellate jurisdiction in all cases of academic dishonesty. An instructor may appeal decisions of the academic Dean to the Academic Honesty Committee. When acting as an appellate body, the Academic Honesty Committee will review the records involved to determine whether to grant a hearing. Appeal hearings shall be conducted under procedures established by the Academic Honesty Committee. B-II.H.2.d)
  - (b) The Academic Honesty Committee shall have the jurisdiction to initiate a full review of any case, including a consideration of the substance of the alleged offense. Review of cases shall be conducted under procedures established by the Academic Honesty Committee.
  - (c) In any appeal, the appellant shall have the burden of proof, and the standard of proof is “more likely than not”.
  - (d) The Academic Honesty Committee shall have the following powers:
    - i) Deny an appeal;
    - ii) Uphold the decision of the instructor or academic Dean;
    - iii) Suspend a sanction in whole or in part and impose other terms and conditions as a corollary; or
    - iv) Overturn a decision of the instructor or academic Dean. In cases where the instructor has jurisdiction, direct the instructor to void the sanction. In cases where the academic Dean has jurisdiction, direct the academic Dean to void the sanction.
  - (e) The committee will be comprised of:

- i) eighteen faculty members, twelve of whom shall have graduate faculty appointments,
- ii) six undergraduate students, and
- iii) six graduate students.

(f) Committee appointments shall be made:

- i) Each academic Dean will nominate a minimum of two faculty members to serve on the committee.
- ii) Three faculty members shall be elected pursuant to Article V, Section B-1.
- iii) The Committee on Committees will appoint the remaining members of the committee from the list of faculty received from the academic Deans. (See Article V, Section B-I.
- iv) The VPAA will appoint six undergraduate students and six graduate students.

(g) Committee Coordinator

- i) The VPAA shall appoint an individual who shall serve as the Coordinator of all administrative functions of the committee (e.g., maintaining case files, filing all paperwork, scheduling hearings).
- ii) The Coordinator will be responsible for the coordination of the training of all new members on the committee.
- iii) The Coordinator shall conduct the hearing, but is not a voting member.

(h) Hearing Board Composition

- i) A quorum to conduct a hearing is five members: three faculty and two students.
- ii) In cases involving graduate students, the hearing board must include only faculty with graduate appointments and only graduate students.
- iii) If a quorum is not achieved the VPAA shall have the power to appoint ad hoc members to and convene an academic honesty hearing board.

(4) Vice President for Academic Affairs

- (a) The Vice President for Academic Affairs shall be responsible for implementing and monitoring this policy, shall provide clerical support as necessary and shall serve as the central repository for records of violations of the policy.
- (b) Final appeal jurisdiction in any case discovered before graduation rests with the VPAA.
- (c) When acting on an appeal of the decision of the Academic Honesty Committee, the VPAA will review the records of the case to determine if a hearing should be granted. The appeal shall be conducted under procedures established by the VPAA. The VPAA may delegate to an individual or committee the responsibility for conducting conferences/hearings, determining whether or not a violation has occurred, and recommending a course of action to be taken.
- (d) The VPAA shall have the jurisdiction to initiate a full review of any case, including a consideration of the substance of the alleged offense. Review of the case shall be conducted under procedures established by the VPAA.
- (e) In any appeal, the appellant shall have the burden of proof.
- (f) The VPAA shall have the following powers:
  - i) deny an appeal;
  - ii) uphold the decision of the instructor or academic Dean or Academic Honesty Committee;
  - iii) suspend a sanction in whole or in part and impose other terms and conditions as a corollary; or
  - iv) overturn a decision of the instructor or academic Dean or Academic Honesty Committee and direct the instructor or academic Dean to apply or void the sanction.

b) Procedures

(1) Reporting a Case of Academic Dishonesty

Cases of academic dishonesty shall be reported to the academic Dean by the instructor. If a student suspected of violating this policy, for example, facilitating academic dishonesty, is not in the course, the instructor shall report the matter to that student's academic Dean, who shall assume original jurisdiction over that student.

(2) Evidence

Whenever possible, the instructor shall retain as evidence the original assignment (not a photocopy).

(3) Continuance of Coursework

A student accused of a violation of the Academic Honesty Policy shall be permitted to continue in the class pending final disposition of the case. If the final decision in the case results in a sanction of expulsion, dismissal, OR suspension, any course work completed during the disposition of the case shall be void as described in the penalties section of this policy. If the final decision in the case results in a sanction of withdrawal from the course and assignment of a grade of “WF”, work in the class completed during the disposition of the case shall be void.

(4) Notification

All written communications in a case starting with the academic Dean’s first letter to the student shall be copied to the instructor, the instructor’s chair or program director, the Dean of the College in which the course is taught if different from the student’s academic Dean, the registrar and the Vice President for Academic Affairs. In cases involving international students the academic Dean shall notify the Director of the Center for International Programs. In cases involving athletes, the academic Dean shall notify the Department of Intercollegiate Athletics. For graduate students, the Dean of the Graduate College will notify these parties and also the program graduate coordinator and the College Dean of the student’s degree program. Communications from the Academic Honesty Committee shall be copied to these persons.

(5) Cases with Instructor Jurisdiction

- (a) The instructor shall make a good faith effort to meet and confer with the student prior to making a decision in the case and assessing a sanction within five days of detection of the incident.
- (b) At the conference, the instructor shall discuss with the student the nature of the charge(s) against the student and the evidence in the case. This conference should provide the student the opportunity to examine and to challenge the evidence.
- (c) After the initial discussion, the student shall have two days to provide additional information, if desired.
- (d) Within five days after the conference, the instructor shall make a determination in the case. If the instructor decides to impose a sanction the instructor should keep a written record outlining the substance of the conference with the student and notify the academic Dean in writing.

- (e) If the instructor determines that a violation of the Academic Honesty Policy has not occurred, no action will be taken against the student, and the instructor shall so notify the student.
- (f) If the instructor determines that a violation of the Academic Honesty Policy has occurred, the instructor is required in all cases to inform the academic Dean, in writing, of the facts (including whether or not a conference between the instructor and student took place) and the decision in the case.
- i) If the sanction is partial or no credit, and the appeal deadline has passed with no appeal, or if the instructor's decision in the case has been upheld on final appeal, the instructor shall calculate the sanction into the course grade and report the grade on the class grade sheet. Otherwise, the instructor shall report an "NGR" (no grade).
- ii) If the sanction is withdrawal from the course and assignment of a grade of "WF", and the appeal deadline has passed with no appeal, or if the instructor's decision in the case has been upheld on final appeal, the instructor shall report the sanction on the class grade sheet. Otherwise the instructor shall report an "NGR" (no grade).
- iii) The registrar shall not convert an "NGR" to a "WF" while an appeal is pending.
- iv) Upon notification from the instructor, the academic Dean shall check with the Vice President for Academic Affairs to determine if the student has a prior violation of this policy.
- v) Within five days following receipt of the notice from the instructor, if a conference between the instructor and student has taken place, the academic Dean shall notify the student, in writing, of the following:
- the decision in the case;
  - the sanction imposed;
  - the student's right to appeal to the Academic Honesty Committee; B-II.H.2.d)
  - that the student may confer with the academic Dean concerning the case.
- vi) Within five days following receipt of the notice from the instructor, if the instructor was unable to confer with the student, the academic Dean shall notify the student, in writing, of the following:

- the receipt of the complaint;
- the decision in the case;
- the sanction to be imposed;
- that the student should confer with the instructor;
- the student's right to appeal to the Academic Honesty Committee; B-II.H.2.d)
- that the student may confer with the academic Dean concerning the case.

vii) For notification, see 2. b) (4).

## (6) Cases with Academic Dean Jurisdiction

### (a) Introduction

- i) Hearings conducted by the academic Dean are informal inquiries that do not follow formalized courtroom procedures.
- ii) Due process rights under B-II.H.2.c) apply to these hearings.
- iii) Only evidence introduced at the hearing can be considered.
- iv) A taped record shall be made of all hearings conducted by an academic Dean.
- v) The academic Dean shall invite the instructor to the hearing who shall have the right to make recommendations on the decision and on the sanction.

### (b) Hearing

- i) Upon receipt of written notice of an alleged violation of the Academic Honesty Policy, within fifteen days the academic Dean shall check with the VPAA to determine if the student has a prior charge pertaining to this policy and shall notify the student, in writing, of the charges made, the student's right to examine the evidence in the case, and the student's right to due process. B-II.H.2.c). For notification, see 2. B) (4) and the academic Dean shall convene a hearing and shall notify the student of its time and place and make a decision.
- ii) If a student has been properly notified of a hearing under this section and fails to appear, the student may be temporarily suspended by the academic Dean until the student requests and appears at a new hearing. If the student has not requested a new hearing within five additional days, the sanction takes effect and the academic Dean shall direct the registrar to bar the student from registration for future semesters and to drop the student from registration for any courses.

- iii) If the academic Dean determines that a violation of the Academic Honesty Policy has not occurred, no action will be taken against the student, and the academic Dean shall so notify the student. If a grade of “NGR” has already been reported, the academic Dean shall direct the instructor to report the grade without the calculation of the sanction. For notification, see 2.b)(4).
- iv) If the academic Dean determines that a violation of the Academic Honesty Policy has occurred, the academic Dean shall:
- before imposing the sanction, notify the VPAA that the student has been charged with the offense, that the academic Dean has determined that a violation of the Academic Honesty Policy has occurred, and request any relevant information regarding the sanction to be imposed in the case;
  - within five days after the decision in the case notify the student, in writing, of
    - the decision in the case;
    - the sanction imposed;
    - the student’s right to appeal to the Academic Honesty Committee under B-II.H.2.d);
    - For notification, see 2. b) (4).
- v) In cases under the academic Dean’s jurisdiction, after an appeal deadline has passed with no appeal or after the decision in the case was upheld on appeal, the academic Dean shall notify the registrar that the student has been withdrawn from the course, expelled, dismissed, or suspended from the University as a sanction for a violation of the Academic Honesty Policy. The academic Dean shall instruct the registrar to enter on the student’s transcript the grade and/or other sanction resulting from the decision.

(c) Hearing by Teleconference

Upon petition from the either the student or the instructor not to hold a hearing in person due to personal hardship the Dean, after providing the other party the opportunity to comment, may grant that the hearing be held by teleconference.

c) Due Process Procedural Safeguards

The following due process procedural safeguards will be followed in all hearings conducted under B-II.H.2.b)(5):

- (1) The student shall be given written notice of the charges against him/her, the time and place of the hearing, and the student’s right to examine the evidence in the case prior to the hearing.

- (2) The student has the right to question evidence presented against him/her and to present evidence in his or her own behalf.
- (3) The student has the right to be assisted by an adviser of his or her choice from among students, faculty, or staff of the University. In cases where expulsion or dismissal or suspension may be the sanction, the student may be accompanied by an external advisor. The external advisor may advise the student during the hearing, but may not participate in the hearing.
- (4) The student has the right to receive notice of the decision in the case and notice of the right to appeal decisions to the Academic Honesty Committee under B-II.H.2.d).

d) Appeals to the Academic Honesty Committee

- (1) The student shall have seven days from the date on which he/she receives notice of the sanction to file an appeal.
- (2) The student shall send a written appeal to the coordinator of the Academic Honesty Committee in the Office of the VPAA and shall send a copy of the appeal to the academic Dean. The student may request an oral presentation of the request before two faculty members of the committee.
- (3) An appeal shall be based on new evidence, procedural error, or error in interpretation of evidence. The appellants must describe the basis of the appeal. (Severity of the sanction is not considered a ground for appeal unless it exceeds the maximum, which would be a procedural error.)
- (4) The Coordinator of the Academic Honesty Committee shall inform the student in writing with a copy to the academic Dean whether a hearing is being granted.
- (5) If the Academic Honesty Committee grants a hearing, the hearing process shall begin within fifteen days of receipt of the student's written notice of appeal. A taped record shall be made of all appeal hearings conducted by the Academic Honesty Committee.
- (6) In the event of a hearing, the Academic Honesty Committee shall furnish the instructor who imposed the original sanction and the academic Dean with a copy of the student's written appeal along with any or all pieces of evidence introduced in the student's behalf. A decision and notification shall be made within two days.
- (7) If the decision of the instructor or academic Dean is overturned by the Academic Honesty Committee and the deadline to appeal to the VPAA has passed with no appeal, or if the decision of the Academic Honesty Committee is upheld on final appeal, the Coordinator of the Academic Honesty Committee shall notify the chair of the Academic Honesty Committee who shall direct the instructor or academic Dean in writing to void the sanction. When a sanction is a grade or affects the grade, the

instructor shall be obligated to compute the student's grade according to the decision of the Academic Honesty Committee regarding the sanction.

e) Appeals to the Vice President for Academic Affairs

- (1) The student, course instructor, or academic Dean shall have seven days from the date on which the person receives notice of the decision of the Academic Honesty Committee to file an appeal with the VPAA.
- (2) The student, course instructor, or academic Dean shall send a written appeal to the VPAA and shall send a copy of the appeal to the Chair of the Academic Honesty Committee and to the academic Dean.
- (3) An appeal shall be based on procedural error alone (severity of the sanction is not considered a ground for appeal unless it exceeds the maximum, which would be a procedural error.)
- (4) If the VPAA grants a hearing, the hearing process shall begin within fifteen days of receipt of the written notice of appeal. The VPAA shall invite the party bringing the appeal and a member of the hearing board.
- (5) Decisions and sanctions shall be stayed until the VPAA has issued a decision. For notification, see 2. b) (4).
- (6) If an appeal deadline has passed with no appeal or if the decision and sanctions have been upheld on appeal, the decision of the initial hearing body shall be in effect as provided for under B-II.H.2.f)(3). Sanctions shall be imposed and the Office of Registration and Records notified within three days of the decision by the Vice President for Academic Affairs.

f) Sanctions

(1) Definitions of sanctions

(a) Expulsion

Administrative withdrawal from the University with no provision for readmission. The student shall be withdrawn from all courses. A grade of "WF" shall be assigned as a sanction for the course in which the offense occurred. Grades of "WP" or "WF" shall be assigned to all other courses in accordance with University policy governing such grades.

(b) Dismissal

Administrative withdrawal from the University for a stated period of time not less than one year. The student shall be withdrawn from all courses. A grade of

“WF” shall be assigned as a sanction for the course in which the offense occurred. Grades of “WP” or “WF” shall be assigned to all other courses in accordance with the University policy governing such grades. After the time has elapsed, the student may apply for readmission on the same basis as any student entering from another school. The student is subject to all regulations dealing with his or her status at the time of dismissal, e.g., academic warning.

(c) Suspension

Administrative withdrawal from the University for a stated period of time not more than one year. The student shall be withdrawn from all courses. A grade of “WF” shall be assigned as a sanction for the course in which the offense occurred. Grades of “WP” or “WF” shall be assigned to all other courses in accordance with the University policy governing such grades. After the time has elapsed, the student may be readmitted. The student is subject to all regulations dealing with the student’s academic status at the time of suspension, e.g., academic warning. Suspension under this policy is different from academic suspension.

(d) Suspended Sanction

Any of the three penalties stated above may be totally or partially suspended. In this case, a student who subsequently violates the Academic Honesty Policy is subject not only to the sanction prescribed for that subsequent offense, but also to the suspended portion of the previously imposed sanction.

(e) Withdrawal from the Course

The student shall be assigned a grade of “WF” as a sanction for the course in which the offense occurred.

(f) Partial or No Credit on an Examination or Assignment

Credit shall be determined in accordance with practices of the instructor.

(2) Other Terms and Conditions of Sanctions

Terms and conditions may be attached to and made part of any sanctions imposed under the Academic Honesty Policy.

(a) Mandatory terms and conditions of expulsion, suspension, or dismissal.

- i) If the student is expelled, suspended, or dismissed under the terms of the Academic Honesty Policy, the student shall be denied all privileges accorded a student and shall be required to leave the University premises.
  - ii) The student may appeal to the Vice President for Academic Affairs for entrance to the University for specified purposes.
- (b) Other terms and conditions may be attached to sanctions of suspended sanction or warning by the Academic Honesty Committee and the academic Dean.
- (c) Failure to observe the terms and conditions attached to and made part of a sanction may constitute cause for the extension of the time period during which the sanction is in effect.
- (d) The VPAA shall have the power to direct the registrar to print on the transcript the reason for a student's expulsion, dismissal, or suspension as due to a violation of the Academic Honesty Policy in cases of repeated or egregious violations .
- (e) No refunds of tuition or fees shall be granted as result of course work dropped in connection with this policy.
- (3) Effective Date of Sanction
- If no appeal is submitted, the sanction shall take effect when the appeal deadline has passed. Otherwise, the sanction shall take effect when the decision of the initial hearing body is upheld on final appeal. If the decision of the initial hearing body is upheld on final appeal, the instructor/academic dean shall report the graded sanction to the registrar.
- (4) Academic credit earned at another institution during a period of expulsion, suspension, or dismissal for violation of the Academic Honesty Policy shall not be accepted at BGSU.
- (5) Grades assigned in connection with this policy shall not be changed. The effect on the grade point average of a "D", "F" or "WF" assigned in connection with a violation of the Academic Honesty Policy shall not be eliminated by the Course Retake Policy or the Academic Forgiveness Policy.
- (6) Sanctions for first academic honesty violations when discovered before graduation shall be in accordance with the following table:

### VIOLATIONS DISCOVERED BEFORE GRADUATION

<u>Offense</u>	<u>Minimum Sanction</u>	<u>Maximum Sanction</u>	<u>Original Jurisdiction</u>
Cheating, fabrication or plagiarism on examinations or other assignments in a course by an under-graduate student	Partial or no credit on examination assignment	Withdrawal from course and assignment of sanction grade "WF" in course	Instructor in course
Cheating, fabrication or plagiarism on examinations or other assignments in a course by a graduate student*	Partial or no credit on examination or assignment	Expulsion	*
Forgery, bribery, threats (related to academic activities)	Suspension	Expulsion	Academic Dean
Using a person or agency to prepare papers or other assignments in a course	Suspension	Dismissal (Undergraduate student) Expulsion (Graduate student)	Academic Dean
Substitution in an examination	Suspension (for both enrollee & substitute)	Dismissal (for both enrollee & substitute) (Undergraduate student) Expulsion for both enrollee & substitute (Graduate student)	Academic Dean
Plagiarism, fabrication, or other forms of dishonesty by a graduate student associated with non-formal course material (e.g. thesis, dissertation, preliminary or comprehensive examination, field experiences)	Suspension	Expulsion	Academic Dean

<u>Offense</u>	<u>Minimum Sanction</u>	<u>Maximum Sanction</u>	<u>Original Jurisdiction</u>
Stealing, duplicating, or selling examinations or examination books to be given	Suspension	Expulsion	Academic Dean
Possession and/or use of stolen examinations, papers, or other course assignments	Suspension	Expulsion	Academic Dean
Misrepresentation of academic credentials	Dismissal	Expulsion	Academic Dean
Other Academic Dishonesty	Partial or no Credit on Assignment*	Expulsion	Instructor/Academic Dean
Facilitating Academic dishonesty	Suspension** Suspension (Graduate student)	Expulsion** Suspension (Graduate student)	Academic Dean* Graduate Dean

\*If the sanction involves a course grade it is the instructor's jurisdiction; if the sanction involves suspension or higher, then the jurisdiction is with the academic Dean.

\*\*A student charged with facilitating academic dishonesty shall be subject to the minimum/maximum sanction for the academic honesty violation that was facilitated. If the offense is cheating, fabrication, or plagiarism on examinations or other assignments and the facilitator is not in the course, the range of sanctions shall be from suspension to expulsion. For second and subsequent academic honesty violations, other than misrepresentation of academic credentials, the minimum sanction is suspension. The academic Dean has original jurisdiction in cases involving second and subsequent violations. The maximum sanction for these violations is expulsion.

In addition to the minimum/maximum sanction, other appropriate educational intervention is encouraged.

### 3. Violations Discovered After Graduation

This section shall apply to violations of the Academic Honesty Policy that are discovered after the student has graduated and that are within the statute of limitations defined in B-II.H.1.d).

#### a) Jurisdiction

##### (1) Academic Dean

- (a) In any case in which the alleged violation is discovered after the student has graduated, the academic Dean of the college from which the student graduated shall have original jurisdiction. The academic Dean shall inform the VPAA about the reported case of suspected violation of the Academic Honesty Policy and shall check with the VPAA to determine if the student has committed a prior violation of this policy.
- (b) Hearings shall be conducted under procedures established by the academic Dean.

##### (2) Academic Honesty Committee

The Academic Honesty Committee shall have appellate jurisdiction in all cases of violation of the Academic Honesty Policy discovered after graduation. Appeal hearings shall be conducted under procedures established by the Academic Honesty Committee. The Academic Honesty Committee shall have the following powers:

- (a) Uphold the decision of the academic Dean; or
- (b) Suspend a sanction in whole or in part and impose other terms and conditions as a corollary; or
- (c) Overturn a decision of the academic Dean. In cases where the academic Dean has jurisdiction, direct the academic Dean to void the sanction.

##### (3) Vice President for Academic Affairs and Board of Trustees

- (a) Final appeal jurisdiction in any case discovered after graduation not involving withdrawal of a degree or revocation of a degree rests with the VPAA. Withdrawal of a degree or revocation of a degree shall be approved by the Board of Trustees.
- (b) When acting on an appeal, the VPAA will review the records of the case to determine if a hearing should be granted. The appeal shall be conducted under procedures established by the VPAA.

- (c) The VPAA shall have the jurisdiction to initiate a full review of any case, including a consideration of the substance of the alleged offense. Review of the case shall be conducted under procedures established by the VPAA.
- (d) The VPAA shall have the following powers:
  - i) deny an appeal;
  - ii) uphold the decision of the academic Dean or Academic Honesty Committee;
  - iii) suspend a sanction in whole or in part and impose other terms and conditions as a corollary; or
  - iv) overturn a decision of the academic Dean or Academic Honesty Committee and direct the academic Dean to void the sanction.

b) Reporting a Case of Academic Dishonesty

Cases of suspected violations of the Academic Honesty Policy discovered after the student has graduated shall be reported to the academic Dean.

c) Hearing Procedures

(1) Pre-Hearing Procedures

- (a) A college committee composed of three faculty members shall be appointed by the academic Dean. The academic Dean shall delegate to the committee the responsibility for providing notices and arranging conferences and hearings, determining whether or not a violation has occurred, and recommending a course of action to the academic Dean.
- (b) The academic Dean shall notify the graduate, in writing, of the charges made, the evidence in the case, the intent to conduct a hearing in the matter, and the graduate's right of due process under B-II.H.3.c)(3).

(2) Hearing Procedures

(a) Introduction

- i) Hearings conducted by the college committee under the following procedures are informal inquiries that do not follow formalized courtroom procedures.
- ii) Due process rights apply to these hearings.
- iii) Only evidence introduced at the hearing can be considered.

(b) Hearing

- i) Within thirty days following the date of the notice to the graduate under B-II.H.3.c)(1), the academic Dean shall notify the graduate and the college committee, in writing, of the time and place of the hearing.
- ii) Within fifteen days following the date of the notice to the graduate and the college committee, the academic Dean shall convene the hearing.
- iii) Within ten days after the hearing, the college committee shall make a determination in the case and recommend a course of action, in writing, to the academic Dean.
- iv) Within thirty days following the written notice from the college committee, the academic Dean shall make a decision in the case.
- v) If the academic Dean determines that a violation of the Academic Honesty Policy has not occurred, no action shall be taken against the graduate.
- vi) If the academic Dean determines that a violation of the Academic Honesty Policy has occurred, the academic Dean shall, before imposing the sanction notify the VPAA that the graduate has been charged with the offense. The academic Dean shall provide the VPAA with all relevant information and shall confer with the VPAA about the case.
- vii) Within ten days following the decision in the case, the academic Dean shall notify the graduate, in writing, of:
  - the decision in the case
  - the sanction imposed
  - the graduate's right to appeal to the Academic Honesty Committee under B-II.H.3.d).
- viii) The academic Dean shall send written notice stating the nature of the case and the decision concerning it to the Chair of the Academic Honesty Committee and the VPAA.
- ix) If the graduate has not appealed within thirty days as provided for in B-II.H.3.e), the academic Dean shall notify the registrar of the sanction imposed.

### (3) Due Process Procedural Safeguards

The following due process procedural safeguards shall be followed in all hearings conducted under B-II.H.3.c)(2):

- (a) The graduate shall be given written notice of the charges against him/her and the time and place of the hearing, and the graduate's right to examine the evidence prior to the hearing.
  - (b) The graduate has the right to question evidence presented against him/her and to present evidence in his/her own behalf.
  - (c) The graduate has the right to be assisted by an external advisor who may not participate in the hearing.
  - (d) The graduate has the right to receive notice of the decision in the case and notice of the right to appeal decisions to the Academic Honesty Committee under B-II.H.3.d).
- d) Appeals to the Academic Honesty Committee
- (1) The graduate shall have thirty days from the date on which he/she receives notice of the sanction to file an appeal.
  - (2) The graduate shall send a written appeal to the Chair of the Academic Honesty Committee and shall send a copy of the appeal to the academic Dean.
  - (3) An appeal shall be based on new evidence, procedural error, or error in interpretation of evidence. (Severity of the sanction is not considered a ground of appeal unless it exceeds the maximum.) The appellant shall describe the new evidence and/or the error that is the basis of the appeal.
  - (4) All appeals shall be heard within thirty days of receipt of the graduate's written notice of appeal.
  - (5) Decisions of the initial hearing body shall be stayed until the appellate body has given its decision.
  - (6) The decision of the initial hearing body, if upheld on appeal, shall be in effect as provided for under B-II.H.3.f)(2).
  - (7) The Chair of the Academic Honesty Committee shall notify the graduate, the VPAA, and the academic Dean of all decisions arising from the appeal. If the decision of the initial hearing body is upheld on appeal and the appeal deadline has passed with no appeal, or if the decision of the Academic Honesty Committee is upheld on final appeal, the academic Dean shall notify the Registrar of the sanction imposed. If the decision of the initial hearing body is overturned on appeal, no action will be taken against the graduate.
- e) Appeals to the Vice President for Academic Affairs

- (1) The graduate or academic Dean shall have thirty days from the date on which the graduate receives notice of the decision of the Academic Honesty Committee to file an appeal with the VPAA.
- (2) A written appeal shall be sent to the VPAA and a copy of the appeal shall be sent to the Chair of the Academic Honesty Committee.
- (3) An appeal shall be based on procedural error alone (severity of the sanction is not considered a ground for appeal unless it exceeds the maximum, which would be a procedural error.)
- (4) All appeals shall be heard within thirty days of receiving the written notice of appeal.
- (5) Decisions of the initial hearing body shall be stayed until the VPAA has given a decision.
- (6) If an appeal deadline has passed with no appeal, or if the decision has been upheld on appeal, the decision of the initial hearing body shall be in effect as provided for under B-II.H.3.f)(2).
- (7) The VPAA, as appropriate, shall notify the graduate, the Chair of the Academic Honesty Committee, and the academic Dean of all decisions arising from the appeal. If the decision of the initial hearing body is upheld on appeal, the academic Dean shall notify the Registrar of the sanction imposed. The academic Dean with the concurrence of the VPAA may instruct the Registrar to print on the transcript that the reason for the sanction was a violation of the Academic Honesty Policy. If the sanction is revocation of degree, the reason shall always be printed on the transcript. If the decision of the initial hearing body is overturned on appeal, no action will be taken against the graduate.

f) Sanctions

(1) Definition of Sanctions

(a) Revocation of Degree

The degree awarded to the graduate shall be rescinded with no possibility for reinstatement. This action is subject to the approval of the Board of Trustees.

(b) Withdrawal of Degree

The degree awarded to the graduate shall be rescinded with the possibility for reinstatement. This action is subject to the approval of the Board of Trustees.

(c) Withdrawal from Course

The graduate shall be assigned a grade of “WF” as a sanction for the course in which the offense occurred. When withdrawal from course and assignment of a grade of “WF” as a sanction results in the graduate not meeting requirements for graduation (e.g., course is required for graduation or GPA falls below 2.0), the degree awarded to the graduate is withdrawn with provision for reinstatement of the degree. Reinstatement of the degree results when the graduate enrolls in the course in which the offense occurred and receives credit for the course in a way that the graduate then meets requirements for graduation.

(d) Partial or No Credit on an Examination or Assignment

Credit shall be determined in accordance with the practices of the instructor. When partial or no credit on an examination or assignment is given as a sanction and results in the graduate not meeting requirements for graduation (e.g., the final grade assigned as a direct result of the sanction does not meet credit requirements in a course required for graduation or the GPA falls below 2.0), the degree awarded to the graduate is withdrawn with provision for reinstatement of the degree. Reinstatement of the degree results when the graduate enrolls in the course in which the offense occurred and receives credit for the course in a way that the graduate then meets requirements for graduation.

(2) Effective Date of Sanction

If no appeal is submitted, the sanction shall take effect when the appeal deadline has passed. Otherwise, the sanction shall take effect when the decision of the initial hearing body is upheld on final appeal.

(3) Penalties for academic honesty violations discovered after graduation shall be in accordance with the following table:

### VIOLATIONS DISCOVERED AFTER GRADUATION

Offense	Minimum Sanction	Maximum Sanction	Original Jurisdiction
Cheating, fabrication, or plagiarism on examinations or other assignments in a course	Partial or no credit on examination or assignment	Withdrawal from course and assignment of sanction grade "WF" in course (Undergraduate student) Revocation of degree (Graduate Student)	Academic Dean
Using a person or agency to prepare papers or other assignments in a course	Withdrawal from course and assignment of sanction grade "WF" for both enrollee and substitute	Withdrawal of degree (Undergraduate student) Revocation of degree (Graduate student)	Academic Dean
Substitution in an examination	Withdrawal from course and assignment of sanction grade "WF" for both enrollee and student	Withdrawal of degree for both enrollee and substitute (Undergraduate student) Revocation of degree for both enrollee and substitute (Graduate student)	Academic Dean
Possession and/or use of stolen examinations, papers or other course assignments	Loss of credit	Revocation of degree	Academic Dean
Stealing, duplicating, or selling examinations or examination books to be given	Loss of credit	Revocation of degree	Academic Dean
Plagiarism, fabrication, or other forms of dishonesty by a graduate student associated with non-formal course material (e.g. thesis, dissertation, preliminary or comprehensive examination, field experiences)	Revocation of degree		Academic Dean

<u>Offense</u>	<u>Minimum Sanction</u>	<u>Maximum Sanction</u>	<u>Original Jurisdiction</u>
Misrepresentation of academic credentials	Revocation of degree		Academic Dean
Other Academic Dishonesty	Withdrawal from course and assignment of sanction grade “WF” in course	Withdrawal of degree	Academic Dean

Facilitating academic dishonesty\*

\*A student charged with facilitating academic dishonesty shall be subject to the minimum/maximum sanction for the violation that was facilitated.

For second academic honesty violations, the maximum sanction is revocation of degree.

Approved by the Faculty Senate on December 2, 2003  
Approved by the Board of Trustees on March 2, 2004

## **BOWLING GREEN STATE UNIVERSITY POLICY ON MISCONDUCT IN RESEARCH**

### PREAMBLE

Among the basic principles of Bowling Green State University are the pursuit of truth and the responsible exercise of academic freedom (The Academic Charter, Article I.A). From these principles derive such ideals and values as the freedom and openness of inquiry, academic honesty, and integrity in scholarship and teaching. The University affirms and holds high the preservation, growth, and flourishing of these values throughout all its activities, including teaching and learning, research, scholarly inquiry, and creative scholarly endeavor.

Therefore, the University has developed policies to affirm and communicate these principles and values and related procedures to prevent, detect, investigate, and correct conduct and practices that are contrary to these principles. For example, a specific objective of the Academic Honesty Policy is "to communicate to all members of the University community the conviction of the University and its faculty that cheating and plagiarism are destructive of the central purposes of the University and are universally disapproved" (The Academic Charter, Part B.I.G.1.a)(1)).

Likewise, misconduct (as defined in Section A.1.) in research, scholarly inquiry, or other forms of creative scholarly endeavor is contrary to the criteria of pursuing truth, communicating academic honesty, and upholding public confidence in the integrity of research. Misconduct in research, scholarly inquiry, and other forms of creative scholarly endeavor is inimical to the concept of academic freedom and its responsible exercise. Therefore, this policy is set forth to affirm and communicate the principles and values of the freedom and openness of inquiry, academic honesty, and integrity in scholarship and research, and to establish responsibilities to identify, report and handle allegations of misconduct in research.

### A. DEFINITIONS

Introduction. Nothing in these definitions shall be deemed to include honest error, honest omission or oversight, or honest differences in interpretations or judgments of data.

1. "Misconduct in research, scholarly inquiry, or other forms of creative scholarly endeavor."

Misconduct in research, scholarly inquiry, or other forms of creative scholarly endeavor (hereinafter referred to as "misconduct" for convenience of reference) means

- (a) fabrication, falsification, plagiarism or other practices that violate accepted standards of honesty within the academic and scientific communities for proposing, conducting, presenting, or reporting the results of research, scholarly inquiry, or creative scholarly endeavors;

(b) material failure to comply with Federal, State, or local laws or regulations for protection of researchers, human subjects, or the public, or for ensuring the welfare of laboratory animals; or (c) failure to comply with other material legal requirements governing research.

"Fabrication" means the creation of nonexistent or fictitious data or results.

"Falsification" means the manipulation or alteration of data for the creation or reporting of false results.

"Plagiarism" means representing the words, ideas, or methods of another person as one's own.

Other practices that violate accepted standards of honesty include but are not limited to:

Selective reporting or omission of conflicting data;

Gross negligence in collecting or analyzing data;

Improper use or release of ideas or data that have been received with the expectation that confidentiality will be preserved;

Stealing, destroying, taking or using without permission the property of others or products of research produced by others, such as data, equipment, supplies, computer programs or software, notes and records, manuscripts, or specimen collections.

Federal regulations for the protection of researchers, human subjects, and the public include but are not limited to:

Protection of human subjects;

Use of recombinant DNA;

Use of radioactive material;

Use of hazardous chemicals or biologicals.

## 2. Inquiry

"Inquiry" means information gathering and initial fact finding to determine whether an allegation or apparent instance of misconduct warrants an investigation.

## 3. Investigation

"Investigation" means the formal examination and evaluation of all relevant facts to determine if misconduct occurred.

## B. PURPOSES

The purposes of this policy are:

1. To communicate to all members of the University community (a) what constitutes misconduct, (b) that misconduct is inimical to the values of pursuit of truth and open inquiry; and (c) that it seriously harms public confidence in research;
2. To establish University procedures that accord with Federal regulations for reporting, investigating, responding to, disposing of, and appealing allegations of misconduct; and
3. To establish principles and procedures that maximize the privacy and confidentiality of, and protect the reputations of, members of the University community (a) who make allegations of misconduct, or (b) against whom allegations of misconduct are made.

Nothing in this policy displaces or precludes integrated procedures under this policy and other applicable policies, including the Academic Honesty Policy.

## C. REGULATIONS

1. It is a violation of University policy for any member of the faculty, administration, contract or classified staff, temporary employee, or student body (including post-doctoral appointees) to engage in misconduct.
2. It is a violation of University policy for any member of the faculty, administration, contract or classified staff, temporary employee, or student body (including post-doctoral appointees) to make other than in good faith allegations of misconduct.
3. It is a violation of University policy for any member of the faculty, administration, contract or classified staff, temporary employee, or student body (including post-doctoral appointees) to retaliate against anyone making a good faith allegation of misconduct.
4. Except as required by this policy or by Federal, State, or local law or regulation, it is a violation of University policy for any member of the faculty, administration, contract or classified staff, temporary employee, or student body (including post-doctoral appointees) to breach the confidentiality of any proceeding or action taken under this policy by publicly disclosing (a) the names or other personally identifying information of persons making, or persons the object of, an allegation of misconduct, or (b) the contents of written, oral, or electronic communications made pursuant to procedures indicated in section E below.

5. It is a violation of University policy for any member of the faculty, administration, contract or classified staff, temporary employee, or student body (including post-doctoral appointees) to aid or abet misconduct, or to obstruct the inquiry or investigation of allegations of misconduct.

#### D. RESPONSIBILITIES

1. The Vice President for Research and Economic Development is responsible for the coordination and timely implementation of this policy, as well as for maintaining all documents and records relating to this policy and to any actions taken pursuant to it.
2. Each Vice President, Dean, Director, Department Chair, and administrative head of an operational unit is responsible for informing their constituents of this policy, of the importance of complying with this policy and related procedures, and for referring questions about misconduct or allegations of possible misconduct to the Vice President for Research and Economic Development.
3. The Vice President for Research and Economic Development is responsible for obtaining and keeping current any and all assurances of compliance with Federal regulations pertaining to misconduct as well as for reporting information about allegations of misconduct and related actions taken by the university to Federal agencies as required by Federal regulations.
4. Upon receiving an allegation of misconduct, the Vice President for Research and Economic Development is responsible for taking immediate and appropriate action under this policy .
5. Each member of the University community is responsible for complying with the principles and procedures of this policy, including full cooperation in the conduct of inquiries, investigations, hearings or appeals made pursuant to this policy.
6. Area Vice Presidents are responsible for making and implementing any disciplinary decisions arising from recommendations made pursuant to this policy consistent with the different disciplinary and grievance policies and procedures governing the various employee and student constituency groups.
7. It is the responsibility of the University community to discourage misconduct, to report misconduct where there is reasonable cause to believe it has occurred and to cooperate in any inquiry or investigation.

#### E. PROCEDURES FOR HANDLING ALLEGATIONS OF MISCONDUCT

The following procedures are required in part by 42 Code of Federal Regulations 50(103.d).

Making Allegations.

1. Any member of the University community, upon observing or having evidence of suspected misconduct or believing specific actions, activities, or conduct constitutes misconduct (as defined in section A.1. above), may make an allegation of misconduct. Any person contemplating making an allegation may, and is encouraged to, first discuss the contemplated allegation in absolute confidence and privacy with the Vice President for Research and Economic Development, who will advise the person or persons contemplating the allegation about (a) the appropriate written form for the allegation, (b) their rights and responsibilities under this policy, and (c) the procedures that must be followed under this policy once an allegation is made. An allegation of misconduct is not made unless and until it is received in writing by the Vice President for Research and Economic Development.
2. The Vice President for Research and Economic Development is responsible for protecting, to the maximum extent possible, the privacy of those who in good faith report apparent misconduct.

Conducting Inquiries.

3. Upon receiving a formal allegation of misconduct, the Vice President for Research and Economic Development will notify the person(s) against whom an allegation is made about the allegation. The person(s) about whom an allegation is made may have legal assistance at his/her expense in any subsequent proceeding in which he/she may be asked or required to be involved.
4. Upon notifying the person(s) against whom an allegation is made, the Vice President for Research and Economic Development will conduct an inquiry (as defined in section A.2. above) in order to determine whether or not an allegation or apparent instance of misconduct warrants an investigation. In conducting this inquiry, the Vice President for Research and Economic Development shall be responsible for gathering information and conducting initial factfinding to justify his/her decision about the need for a formal investigation. The Vice President for Research and Economic Development is responsible for preparing a written report that states what evidence was reviewed, summarizes interviews conducted, and includes the conclusions of the inquiry. The individual(s) against whom the allegation is made shall be given a copy of the report of the inquiry. They may respond in writing with comments about any part of the inquiry report within a reasonable period of time to be specified by the Vice President for Research and Economic Development, and if they choose to make written comments, those comments shall be made part of the formal inquiry report.
5. An inquiry must be completed within 60 calendar days of its initiation unless circumstances clearly warrant a longer period. If the inquiry takes longer than 60 days to complete, the record of the inquiry shall include documentation of the reasons for exceeding the 60-day period.

6. The Vice President for Research and Economic Development shall maintain sufficiently detailed documentation of inquiries to permit later assessment of the reasons for determining that an investigation was not warranted. Such records shall be maintained in a secure manner for a period of at least three years after the termination of the inquiry, and shall, upon request, be provided to authorized Federal personnel having a valid reason to review the records.
7. The Vice President for Research and Economic Development is responsible for affording the affected individual/s (a) confidential treatment to the maximum extent possible, (b) a prompt and thorough investigation if one is warranted, and (c) an opportunity to comment on the allegations and findings of the inquiry and/or any investigation.

Conducting Investigations.

8. If the inquiry provides sufficient evidence that an investigation is warranted, the Vice President for Research and Economic Development shall commence an investigation within 30 days of the completion of the inquiry.
9. The Vice President for Research and Economic Development shall appoint an ad hoc committee of not less than three and not more than five tenured University faculty having appropriate substantive expertise to carry out a thorough and authoritative evaluation of the evidence bearing on alleged misconduct. The Vice President for Research and Economic Development shall also be responsible for obtaining individuals from outside the University community having appropriate substantive expertise to thoroughly and authoritatively evaluate evidence if such expertise is not present within the University community or if a conflict of interest could arise from using a member of the University community to evaluate the evidence.
10. The investigation shall include examination of all documentation, including but not necessarily limited to relevant research data and proposals, laboratory or field notes, manuscripts, publications, correspondence, and memoranda of telephone calls. Whenever possible, interviews should be conducted with not only individuals involved in making the allegation and individuals against whom the allegation is made, but also any other individuals who might have information regarding key aspects of the allegation. Complete summaries of these interviews should be prepared, provided to the interviewed party for comment and suggested revision, and included as part of the investigation record. Persons being interviewed pursuant to an investigation may have legal counsel present to advise them.
11. The ad hoc committee shall participate in the interviews of all parties involved in the investigation and shall report its findings concerning evaluation and assessment of the evidence to the Vice President for Research and Economic Development in a written report.

12. Using all available information, the Vice President for Research and Economic Development shall prepare a written report of the investigation, which shall include an assessment of the extent to which the allegation of misconduct is substantiated by the evidence. If an allegation of misconduct is substantiated in whole or in part, the Vice President for Research and Economic Development shall include in the written investigation report a recommendation concerning appropriate sanctions, discipline, or corrective actions, including without limitation:
- (a) Removal from involvement or activity on a particular project;
  - (b) Orderly termination of the entire research project;
  - (c) Suspension of privileges to submit external proposals for research support;
  - (d) Suspension of privileges to submit proposals for BGSU research support;
  - (e) Special monitoring of future work.

The Vice President for Research and Economic Development shall provide copies of this report to the individual(s) against whom the allegations are made for comment and to the Vice President of the area in which these individuals are employed. If they can be identified, the persons who raised the allegations should be provided with those portions of the report which address their role and opinions in the investigation. The Vice President for Research and Economic Development shall maintain all documentation to substantiate the investigation's findings.

13. The investigation should be conducted and completed within 120 calendar days of its initiation, including report preparation, review and comment by subjects of the investigation, and submission of the report to required University and Federal officials. If the report cannot be completed within 120 days, and the report must be submitted to a cognizant Federal funding agency (as in section F.2. below), then the Associate Vice President shall submit a written request for extension of the 120 days to the cognizant Federal agency that includes an explanation of the delay, an interim progress report on the investigation, and an estimated completion date of the report and other necessary steps.

#### Disciplinary Actions.

14. Upon receiving a Misconduct Investigation Report from the Vice President for Research and Economic Development in which the allegation of misconduct is in part or in whole substantiated, the area Vice President shall be responsible for initiating the appropriate disciplinary proceedings and/or sanctions. In so doing, the area Vice President shall give great weight to the recommendations of the Vice President for Research and Economic Development. Since disciplinary procedures vary across the major employee and student groups, this policy does not spell out specific disciplinary penalties, sanctions, procedures or appeals, but incorporates by reference

the relevant governance and conditions of employment documents that pertain to infractions of University policy for (a) faculty, (b) administrative staff, (c) classified staff, and (d) students, including without limitation:

- (a) Faculty – The Collective Bargaining Agreement between the University and the BGSU Faculty Association.
- (b) Administrative Staff (including post-doctoral appointees) -- Administrative Staff Handbook, parts on:
  - Contract Information, (pp. 27-29)
  - Grievance Procedures, (pp. 38-43)
- (c) Classified staff -- Classified Staff Handbook, parts on:
  - Sanction Policy and Procedure (pp. 10-14)
  - Grievance Procedures (pp. 18-28)
- (d) Students -- The Academic Charter, B.I.G -- Academic Honesty

**F. NOTIFICATIONS TO FEDERAL AGENCIES WHEN FEDERAL FUNDS ARE INVOLVED**

When alleged misconduct involves employees or students conducting research supported by Federal agency sponsors, additional agency notification requirements apply, as follows.

1. When, on the basis of an inquiry, it is determined that an investigation is warranted, the Vice President for Research and Economic Development shall notify the cognizant Federal funding agency in writing on or before the date the investigation begins that an investigation is being commenced. The notification should inform the cognizant Federal agency at a minimum of the name of the person(s) against whom the allegation(s) have been made, the general nature of the allegation(s), and the Federal grant application(s) or award(s) involved.
2. The Vice President for Research and Economic Development must submit the final report of an investigation to the cognizant Federal funding agency if the investigation concerns research being supported by Federal funds. This report to the cognizant Federal agency must describe the policies and procedures under which the investigation was conducted, how and from whom information relevant to the investigation was obtained, the findings, and the basis for the findings. It must include the actual text or an accurate summary of the views of any individual(s) found to have engaged in misconduct, as well as a description of any sanctions or corrective actions taken by the University.

3. The Vice President for Research and Economic Development shall notify the cognizant Federal funding agency if at any time during an inquiry or investigation conducted under this policy it is determined that any of the following conditions exist:
  - (a) There is an immediate health hazard involved;
  - (b) There is an immediate need to protect Federal funds or equipment;
  - (c) There is an immediate need to protect the interests of the person(s) making the allegations or of the individual(s) who is the subject of the allegations as well as his/her co-investigators and associates, if any;
  - (d) It is probable that the alleged incident is going to be reported publicly;
  - (e) There is a reasonable indication of possible criminal violation. In that instance, notification of the cognizant Federal agency must occur within 24 hours of obtaining that information.

## G. RESOLUTION

### Absence of Misconduct.

1. If the results of the inquiry and/or investigation reveal that allegations of misconduct are not supported, then any party making an allegation or against whom an allegation is made and previously notified about the possibility of misconduct or the need to conduct an investigation should be informed of those findings in writing. In announcing a finding that the allegations are not supported, the Vice President for Research and Economic Development should consult with the person(s) who were the subject of the allegations to determine (a) whether the announcement should be a public announcement or a selective announcement and (b) what organizations beyond those initially informed should receive the information about the findings of no misconduct as a means to restore, repair, or reassure the reputation of those involved. The Vice President for Research and Economic Development should normally be guided by whether or not a public announcement will be helpful or cause further harm in restoring the reputations of those against whom the allegations were made and should give weight to their views in determining which additional organizations, if any, should be notified.
2. Irrespective of the results of any inquiry or investigation, if allegations were made in good faith, the Vice President for Research and Economic Development will ensure that no disciplinary actions are brought against the person(s) making the allegations and will monitor the situation and will make diligent efforts to prevent any retaliatory actions. If, however, during the course of reaching a finding that no misconduct occurred, it is determined that allegations of misconduct were not made in good faith,

the Vice President for Research and Economic Development shall initiate disciplinary actions against the person(s) making such allegations.

Presence of Misconduct.

3. If the results of the inquiry and/or investigation reveal that allegations of misconduct are supported, then the Vice President for Research and Economic Development shall notify all organizations and agencies initially informed about the inquiry and/or the investigation. The Vice President for Research and Economic Development shall also inform all organizations or agencies previously notified about the outcome of any disciplinary action taken by the University.

**PART B**

**DIVISION II**

**BYLAWS OF THE FACULTY SENATE**

## **PART B: DIVISION II**

### **BYLAWS OF THE FACULTY SENATE**

A. The order of business of the Faculty Senate shall be as follows:

1. Call to order
2. Roll call by the Secretary
3. Announcements by the Chair of the Senate
4. Communications with the President and/or VPAA or designated representative(s)
5. Communications with the student body Presidents or their representatives
6. Reports from Senate Committees\*
7. Completion of pending business
8. New Business
9. Issues and Concern
10. Adjournment

\* At the discretion of the chair, this item may be moved between items 8 and 9.

B. A motion to reorder the agenda requires a majority vote of those Senators present and legally entitled to vote. Items not on the agenda may be discussed under issues and concerns. A motion on such an item cannot be considered until a two-thirds vote of those Senators present approves a motion so to proceed.

C. Minutes and proceedings of the Senate, or summaries thereof, shall be distributed to all University faculty members. Copies of the agenda for forthcoming Senate meetings shall be distributed to all University faculty members.

D. Voting on deliberations before the Senate shall be restricted to those present. A roll call vote of the Faculty Senate shall be taken only when ordered by a vote of one-fifth of those Senators present and legally entitled to vote excluding blanks or abstentions.

E. Provisions for vacancies among Senate Officers:

1. If the Chair should resign or be otherwise unable to serve, the Vice Chair shall become Chair;

2. If the Vice Chair should become Chair under the provisions of E.1, immediately above, he/she shall be Chair for the remaining portion of the academic year. If accession to the office of Chair takes place before January 1, he/she shall cease being Chair at the end of the current academic year; if such accession occurs on or after January 1, he/she shall be Chair for one full academic year additionally;
  3. If the office of Vice Chair or Secretary becomes vacant for any reasons, the Senate shall immediately elect a Vice Chair or Secretary. They shall complete their terms as if they have been serving for the full year;
  4. In the event that both the Chair and the Vice Chair shall be unable to serve, the President, as ex officio member, shall preside for the purpose of electing a Chair and Vice Chair.
- F. An elected Senate member on official University leave for one academic year, whose remaining term of office is concurrent with his/her leave, or extends less than one academic year beyond the expiration of such leave, shall be deemed to have vacated his/her office.
- G. An elected Senate member on official University leave not to exceed one academic year, and whose term of office extends for at least one academic year beyond the expiration of his/her leave, shall be replaced during his/her absence by the appropriate college or school.
- H. Attendance at Senate meetings is expected of all Senators. See Article IV.E for attendance policies.
- I. All vacancies in the elected membership of the Senate shall be filled by the appropriate University body, who shall appoint the next eligible person as defined in Article IV, Sections 1 and 2 for the remainder of the academic year. If the vacancy exceeds one year, then the remaining year(s) of the term shall be filled by election at the regular time of elections.
- J. Upon election each Senator, Officer of the Senate, and (or) committee member of the Senate shall assume the duties of the office immediately following the final commencement of the academic year.
- K. The academic year is herein defined as the time period covered by the fall and spring semesters.
- L. To enact or amend an existing bylaw, a two-thirds vote of those Senators present and legally entitled to vote excluding blanks or abstentions, is required.

**APPENDICES**

## Appendix A

### **BOWLING GREEN STATE UNIVERSITY FINANCIAL EXIGENCY PLAN**

Subject to the authority of the President and the Board of Trustees, the following is the Financial Exigency Plan for Bowling Green State University.

#### A. Definition of Financial Exigency

Financial exigency is an imminent financial crisis which so seriously jeopardizes the University's academic programs and the ability of the University to fulfill its mandatory obligations to the public that the termination of probationary and tenured faculty contracts is necessary. Projections of enrollment, of instructional subsidies, and other sources of revenues must demonstrate both to the faculty and to the administration that the shortage of funds will be so severe and persistent that there is no reasonable alternative to a change in the nature and character of the Institution.

#### B. Declaring Financial Exigency

The Board of Trustees shall consider the recommendations of the President, together with all other relevant information, in deciding whether or not to declare a state of financial exigency. The responsibility of declaring financial exigency rests with the President and the Board of Trustees.

#### C. Procedures for Implementation

Probationary and tenured faculty contracts can be terminated only through program curtailment.

There are three basic options available as part of program curtailment: 1) consolidation of previously separate units; 2) reduction of an existing unit; or, 3) elimination of an existing unit.

Step 1: The group charged with identifying academic program units which are to be curtailed shall be the Committee on Academic Priorities (CAP). Units shall be defined as to include, but not limited to, degree programs, academic specializations, departments, divisions, centers, and institutes in the academic area. If in the process nonacademic areas are identified for financial savings, these shall be stated to the administration and included in the Committee's report to the Senate.

Membership of the Committee:

The membership of this Committee (CAP) shall include:

- the faculty membership of SEC, including Faculty Senate Officers (9),
- one representative from the Council of Chairs, selected by the Council of Chairs,
- one representative from the Council of Deans, selected by the Council of Deans,
- the chief academic officer of the University,

- the undergraduate and graduate members of SEC (non-voting),
- two faculty, selected by the SEC and Com/Com, to provide desirable pertinent expertise not otherwise represented among the Committee membership.

The Committee on Academic Priorities shall be chaired by the Chair of the Faculty Senate, and the Secretary of the Faculty Senate shall serve as Secretary to the Committee.

Criteria to be Used for Program Curtailment:

Criteria for program curtailment are, unranked:

- importance to the academic mission of the University,
- quality, as determined by periodic reviews and evaluations,
- enrollment patterns,
- cost-benefit and revenue relationships,
- number of programs served,
- frequency with which a service is rendered,
- recognition of equal opportunity principles.

Step 2: Before a program unit is recommended to the Senate for curtailment, this Committee shall state its rationale for curtailment of the unit and allow the unit opportunity to provide additional information.

Step 3: The Chair of the Committee shall report the recommendations of the Committee, along with the basic rationale for these recommendations to the Faculty Senate for its timely consideration. The Faculty Senate may choose to endorse or to modify these recommendations.

Step 4: The recommendations of the Committee, and the resulting action of the Faculty Senate, shall be forwarded to the President for consideration. Once a decision has been made to curtail a program unit, University administrators shall terminate individual faculty contracts only after vigorous good faith efforts have been made to reassign these faculty members, to offer them early retirement options, or to make other appropriate arrangements.

#### D. Rights of Faculty

1. Faculty on probationary contract shall not be denied tenure or have employment terminated on the basis of financial exigency unless the program unit with which such faculty are primarily associated has been targeted for consolidation, reduction, or eliminations.
2. Faculty with tenure shall not have employment terminated on the basis of financial exigency unless the program unit with which such faculty are primarily associated has been targeted for elimination.
3. The President shall inform by registered mail the individuals whose appointments are to be terminated providing each with a statement of the criteria and procedures by which the decision was reached.

4. Any faculty member who believes termination has resulted from a prejudicial use of the foregoing procedures shall have the right to file a grievance with the Faculty Personnel and Conciliation Committee in accordance with B-I.E. within twenty class days after receipt of the notice. No appeal can be heard which is based upon a challenge to the existence of exigency or to the procedures outlined in this document.

#### E. Financial Exigency Declared by State

If financial exigency should be declared by the Board of Regents or the State Legislature, the procedures described in this document shall be followed in their entirety at Bowling Green State University.

#### F. Short-term Financial Crisis

A short-term financial crisis involving a shortfall of funds within a single academic year or fiscal period is to be distinguished from a state of financial exigency. Contractual obligations of the University are fixed within a given contract period and should not be invalidated. There are little or no salary savings gained from a financial crisis requiring immediate action. The administration should share with the SEC its alterations and plans for reallocating the University's financial resources without termination of probationary and tenured faculty contracts.

Approved by Faculty Senate 10-18-82

Approved by Board of Trustees 2-11-83

Approved by Board of Trustees 12-10-2010

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  - Office of the VPSA-- Charter VII.A
  - VPSA and Student Affairs Advisory Board--  
Charter VII.C
  - VPSA and Student Organizations-- Charter VII.D
- Violence Policy—Charter B-II.F.4
- Voting
- Simple Majority Prevails-- Charter IV.D.1
  - Two-Thirds of all Senators Present and Voting--  
Charter IV.D.1
  - Two-Thirds of all Senators-- Charter XIV.C.2
- Weather Emergencies
- Classroom Attendance-- Charter B-I.F.4