

OWENS COMMUNITY COLLEGE  
REGULAR MEETING OF THE BOARD OF TRUSTEES  
NOVEMBER 10, 2009 ~ MINUTES

A meeting of the Board of Trustees was held in the Board Room, Administration Hall, on the Owens Community College Toledo Campus.

**Call to Order** - Chair John Moore called the meeting to order at 12:32 p.m. and directed that the record show that the meeting was held in accordance with the Ohio Revised Code, Chapter 3358, and the policies of the Board of Trustees.

**Roll Call** - Roll call was taken, and the following members were present: John Ault, David Habegger, Ronald McMaster, R J Molter, John Moore, Rich Rowe and Diana Talmage (7).

**Opening Statement** – Chair John Moore opened the meeting by stating that Owens Community College is doing everything that it can to attain the National League for Nursing Accrediting Commission (NLNAC) accreditation for the nursing program. He stated that while the College works to reinstate NLNAC accreditation, it is taking positive steps including establishing a stand-alone School of Nursing. He stated that the Owens nursing program has the strengths of our faculty, our curriculum and our students. The College is supported by area hospitals that have declared their willingness to hire our well-prepared students. He stated that the Board of Trustees will hold a special meeting on Wednesday, November 18, at 1:00 p.m., for the purpose of discussing how the nursing program is moving forward and to provide an opportunity for the College community to respectfully address the Board on this matter.

**Approval of the Minutes of the Board of Trustees** - The minutes of the September 8, 2009, regular meeting; September 22, 2009, special meeting; and, October 13, 2009 special meeting were reviewed, and the Chair declared the minutes approved as written.

**Appointment of Nominating Committee** – In accordance with the Board of Trustees Bylaws Section 3358:11-1-02(D)(4), Chair Moore appointed the following Trustees to serve on the Nominating Committee in order to develop the nominations for the officer election to be held on February 2, 2010: Dr. McMaster, to serve as Committee Chair, and Mr. Libbe and Mr. Habegger. On behalf of the committee, Dr. McMaster accepted the appointments.

**Finance Committee Report** – Mr. Rowe reported that the Finance Committee met on November 2. He reported that an audit review was conducted during executive session with the College's independent public auditors, Plante and Moran. He stated that the fiscal year 2009 audit was timely submitted to the office of the Ohio Auditor of State for approval. The College is receiving an unqualified opinion with no exceptions, which is the highest level of an audit review. Mr. Rowe stated that later in the meeting he would present the Finance Committee's motion for a recommendation to adjust compensation for non-bargaining adjunct faculty and part-time instructional employees teaching credit courses.

**Trustees Collaboration Committee Report** – Chair Moore deferred making a report at this time.

**Facilities/Capital Improvements Report** – Mr. John Satkowski, Executive Vice President/CFO, provided an update on facilities and capital improvements in progress: Founder’s Hall, Heritage Hall, Workforce and Community Services at Arrowhead Park, Maumee, the wind turbine near Industrial and Engineering Technologies, renovations to the east campus sidewalks and access to Buck Road through neighboring property controlled by Calphalon. Mr. Satkowski provided an update on energy alternative projects being planned including the proposed 36kW photovoltaic array, which is an opportunity to partner with First Solar Corporation of Perrysburg, and the proposed 60kW wind cube, which is an opportunity to partner with Green Energy Technologies of Akron.

**Provost’s Report** – Dr. Paul Unger, Executive Vice President and Provost, reported on the alternative energy installations on campus that will be utilized for energy production and for instructional purposes. New program proposals for alternative energy, including wind, solar and geothermal, have been submitted to the Ohio Board of Regents. Dr. Unger acknowledged the efforts of Dr. Gary Corrigan, Director of Marketing and Communications, on the collaboration with Terra Community College and Northwest State Community College for the promotion of *The Secrets of Community Colleges*. Dr. Unger closed his report with a brief progress update of the NLNAC accreditation and stated that the application for candidacy was submitted and a mentor has been assigned to the College.

**Center for Emergency Preparedness Business Plan Presentation** – Michael Cornell, Director of the Center for Emergency Preparedness, presented on the vision, accomplishments, usage and business goals of the Center for Emergency Preparedness.

**President’s Report** – President Adams thanked Mr. Cornell for the presentation and commented on the accomplishments achieved. She stated that she began planning for her retirement a few months ago, and she stated that Owens Community College has been the capstone of her career. She remarked on the College’s portraits of Presidents Ramsey, See, Brown and herself, and she noted the ties of leadership that connect each president to the next. President Adams distributed *A Few of My Favorite Things* describing the highlights of her presidency at Owens Community College, 2001 to 2009.

**Report on Open Positions** – Dr. Cynthia Eschenburg, Vice President of Human Resources, presented the open positions report. She invited Dr. Unger to make an announcement. Dr. Unger announced that in today’s meeting, the employment of a founding Dean of the School of Nursing is being recommended. He stated that the nursing program is large and complex, and it is the right time to establish a School of Nursing with its own identity.

**Dates to Remember** – President Adams commented on the updated information and highlighted the Chancellor’s video conference with state-wide trustees scheduled for December 9.

**RECOMMENDATIONS OF THE PRESIDENT TO THE BOARD OF TRUSTEES**  
**Resignations, Terminations and Leaves of Absence for Non-Bargaining Unit Personnel:**

RESOLUTION 2009-11-10-17

BE IT HEREBY RESOLVED that the recommendation of the President to accept the resignation of Sarah McKether, Sergeant, effective October 30, 2009, for personal reasons be approved by the Board of Trustees.

## RESOLUTION 2009-11-10-18

BE IT HEREBY RESOLVED that the recommendation of the President to accept the resignation of Shirley Moran, Controller, effective February 1, 2010, for reason of retirement be approved by the Board of Trustees.

Ms. Talmage made a motion to approve the above listed resolutions, which was seconded by Mr. Molter. Following a voice vote, the motion was adopted.

## RESOLUTION 2009-11-10-02

BE IT HEREBY RESOLVED that the recommendation of the President to accept the resignation of Debra Morris, Specialist Northwest ABLE\* Resource Center (Grant Funded), effective September 30, 2009, for personal reasons be approved by the Board of Trustees.

## RESOLUTION 2009-11-10-03

BE IT HEREBY RESOLVED that the recommendation of the President to accept the resignation of Betty Valentine, Director, Employee Relations and Diversity, effective January 1, 2010, for reason of retirement be approved by the Board of Trustees.

Ms. Talmage made a motion to approve the above listed resolutions, which was seconded by Mr. Habegger. Following a voice vote, the motion was adopted.

**Resignations, Terminations and Leaves of Absence for Bargaining Unit Personnel:**

## RESOLUTION 2009-11-10-04

BE IT HEREBY RESOLVED that the recommendation of the President to accept the resignation of Dwight Franklin, Maintenance Specialist II, effective January 1, 2010, for reason of retirement be approved by the Board of Trustees.

## RESOLUTION 2009-11-10-16

BE IT HEREBY RESOLVED that the recommendation of the President to accept the resignation of Hope Hutchison, Secretary, Nursing/Surgical Department, effective January 1, 2010, for reason of retirement be approved by the Board of Trustees.

Mr. Ault made a motion to approve the above listed resolutions, which was seconded by Mr. Rowe. Following a voice vote, the motion was adopted.

**Employment of Non-Bargaining Unit Personnel:**

## RESOLUTION 2009-11-10-05 &amp; 19

BE IT HEREBY RESOLVED that the recommendation of the President to employ the following persons, in compliance with Affirmative Action Guidelines established by the College, be approved by the Board of Trustees:

NAME: James Trumm  
 ADDRESS: Ottawa Hills, OH  
 EDUCATION: Juris Doctor, with a major in Law, from Northeastern University; Bachelor of Arts, with a major in Philosophy, from Colby College  
 EXPERIENCE: Over eight years experience at Owens Community College including six years experience in the Center for Teaching and Learning  
 ASSIGNMENT: Manager, Learning Center

NAME: Dawn Wetmore  
 ADDRESS: Perrysburg, OH  
 EDUCATION: Master of Science, with a major in Nursing, from Medical College of Ohio;  
 Bachelor of Science, with a major in Nursing, from Mary Manse College  
 EXPERIENCE: Over twelve years experience in academic and health/nursing higher education  
 administration including over nine years at Owens Community College  
 ASSIGNMENT: Dean, School of Nursing

NAME: Joyce Winters  
 ADDRESS: Oak Harbor, OH  
 EDUCATION: Master of Arts, with a major in Curriculum and Teaching Education, from  
 Bowling Green State University; Bachelor of Arts, with a major in English, from  
 Shawnee State University  
 EXPERIENCE: Over twelve years experience in adult education including two years experience  
 at Owens Community College  
 ASSIGNMENT: Assistant Director, Teaching and Learning Center/ABLE\* Consortium Grant  
 Director (Grant Funded) \*Adult Basic Literacy Education

RESOLUTION 2009-11-10-06 & 20

BE IT HEREBY RESOLVED that the recommendation of the President to award revised  
 contracts on the basis indicated below be approved by the Board of Trustees:

<u>NAME</u>	<u>ASSIGNMENT</u>
Tammy Dean	Applications System Analyst
Laurie Sabin	Director, Budgeting/Assistant Treasurer
Pam Brenneman	Specialist, Northwest ABLE* (Grant Funded)
Danny Jones	Police Officer
Luis Munguia	Police Officer
John Routzon	Assistant Director, Security Division (Findlay)

Dr. McMaster made a motion to approve the above listed resolutions, which was seconded by  
 Ms. Talmage. Following a voice vote, the motion was adopted.

**Employment of Bargaining Unit Personnel:**

RESOLUTION 2009-11-10-07

BE IT HEREBY RESOLVED that the recommendation of the President to employ the  
 following persons, in compliance with Affirmative Action Guidelines established by the College, be  
 approved by the Board of Trustees:

NAME: Erin Bechstein  
 ADDRESS: Bowling Green, OH  
 EDUCATION: Bachelor of Arts, with a major in Human Development and Family Studies,  
 from Bowling Green State University  
 EXPERIENCE: Over three years of child care experience  
 ASSIGNMENT: Teacher, Infant/Toddler

Mr. Molter made a motion to approve the above listed resolution, which was seconded by  
 Mr. Rowe. Following a voice vote, the motion was adopted.

**Adjunct Faculty and Part-time for Credit Instructional Staff Compensation Adjustment** - The following resolution was provided by the Finance Committee through a motion made on November 2:

RESOLUTION 2009-11-10-21

WHEREAS, the Board of Trustees recognizes that non-bargaining unit adjunct faculty and part-time instructional staff are dedicated to serving the College's students and communities in a culture that values service, learning, innovation, collaboration and excellence; and

WHEREAS, the President and the Treasurer recommend a compensation pool not to exceed \$210,000 for the current fiscal year for non-bargaining unit adjunct faculty and part-time for credit instructional staff, according to the following guidelines; and

- A compensation adjustment in the per credit hour and per contact hour rates of pay, effective January 1, 2010

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Trustees approves the above recommendation of the President and the Treasurer to grant compensation adjustments for non-bargaining unit adjunct faculty and part-time for credit instructional staff.

On behalf of the Finance Committee, Mr. Rowe presented the motion to adopt the resolution. Mr. Rowe commented that a pool of funds is being created for marketplace compensation adjustments for non-bargaining unit adjunct faculty and part-time for credit instructional staff. Following a voice vote, the motion was adopted.

**Policy Recommendations:**

RESOLUTION 2009-11-10-08

WHEREAS, the Academic Standards Committee has recommended the adoption of the 3358:11-2-54 Academic Appeal Policy that establishes a process of appeals of academic decisions for students, which is also aligned with the guidelines of the Student Code of Conduct; and

WHEREAS, the President and the Executive Vice President/Provost concur and recommend that the adoption of said policy is in the best interest of the College; and

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Trustees adopts 3358:11-2-54 Academic Appeal Policy (Appendix I); and

BE IT FURTHER RESOLVED that the Board of Trustees authorizes the Associate Vice Provost to implement procedures and forms consistent with the policy, and the Secretary to the Board of Trustees to file the said policy with the Ohio Legislative Service Commission.

RESOLUTION 2009-11-10-09

WHEREAS, a policy for employee cybercommuting provides a viable alternative for the College to continue operations in response to emergencies or as determined on a case-by-case basis; and

WHEREAS, the President and the Vice President of Human Resources recommend the adoption of the 3358:11-4-18 Cybercommuting Policy; and

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Trustees adopts 3358:11-4-18 Cybercommuting Policy (Appendix II); and

BE IT FURTHER RESOLVED that the Board of Trustees authorizes the Vice President of Human Resources to implement procedures and forms consistent with the policy, and the Secretary to the Board of Trustees to file the said policy with the Ohio Legislative Service Commission.

## RESOLUTION 2009-11-10-10

WHEREAS, the Board of Trustees previously adopted policy 3358:11-5-05 Personnel File; and

WHEREAS, to further clarify the policy with respect to maintaining personnel records that may be public records, the President and the Vice President of Human Resources recommend certain revisions to said policy; and

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Trustees amends 3358:11-5-05 Personnel File Policy (Appendix III); and

BE IT FURTHER RESOLVED that the Board of Trustees authorizes the Vice President of Human Resources to implement procedures consistent with the policy, and the Secretary to the Board of Trustees to file the amendment of the policy with the Ohio Legislative Service Commission.

## RESOLUTION 2009-11-10-11

WHEREAS, the Board of Trustees previously adopted policy 3358:11-3-11 Student Code of Conduct; and

WHEREAS, to further clarify the policy with respect to establishing a student conduct system and community standards, the President and the Vice President of Student Services recommend certain revisions to said policy; and

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Trustees amends 3358:11-3-11 Student Conduct Policy (Appendix IV); and

BE IT FURTHER RESOLVED that the Board of Trustees authorizes the Vice President of Student Services to administer the Student Conduct System and Community Standards consistent with the policy, and the Secretary to the Board of Trustees to file the amendment of the policy with the Ohio Legislative Service Commission.

## RESOLUTION 2009-11-10-12

WHEREAS, the Board of Trustees previously adopted policy 3358:11-3-12 Student Grievance/Appeals Procedure; and

WHEREAS, the College aims to provide transparent avenues for students to address academic and non-academic matters of appeals and grievances, and the President, the Provost and the Vice President of Student Services recommend the rescission of said policy; and

WHEREAS, said policy will be replaced by separate policies addressing academic and non-academic matters for students; and

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Trustees rescinds policy 3358:11-3-12 Student Grievance/Appeals Procedure (Appendix V); and

BE IT FURTHER RESOLVED that the Board of Trustees authorizes the Secretary to the Board of Trustees to file the rescission of said policy with the Ohio Legislative Service Commission.

## RESOLUTION 2009-11-10-13

WHEREAS, the Academic Standards Committee supports the adoption of the 3358:11-3-64 Student Non-Academic Appeal Policy that establishes a process of appeals of non-academic decisions and matters for students, which is also aligned with the guidelines of the Student Code of Conduct; and

WHEREAS, the President and the Vice President of Student Services recommend that the adoption of said policy is in the best interest of the College; and

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Trustees adopts 3358:11-3-64 Student Non-Academic Appeal Policy (Appendix VI); and

BE IT FURTHER RESOLVED that the Board of Trustees authorizes the Vice President of Student Services to implement procedures and forms consistent with the policy, and the Secretary to the Board of Trustees to file the said policy with the Ohio Legislative Service Commission.

## RESOLUTION 2009-11-10-14

WHEREAS, the Board of Trustees previously adopted policy 3358:11-5-50 Zero Tolerance/Workplace Violence; and

WHEREAS, to further clarify the policy to maintain a safe learning and productive work environment, the President and the Vice President of Human Resources recommend certain revisions to said policy; and

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Trustees amends 3358:11-5-50 Zero Tolerance/Workplace Violence Policy (Appendix VII); and

BE IT FURTHER RESOLVED that the Board of Trustees authorizes the Vice President of Human Resources to implement procedures consistent with the policy, and the Secretary to the Board of Trustees to file the amendment of the policy with the Ohio Legislative Service Commission.

Mr. Habegger made a motion to approve the above listed resolutions, which was seconded by Ms. Talmage. Following a voice vote, the motion was adopted.

**Facilities/Capital Improvements Recommendation:**

## RESOLUTION 2009-11-10-22

BE IT HEREBY RESOLVED that the recommendation of the Treasurer and the President to negotiate the award of a sole source contract to Advanced Distributed Generation of Toledo for the purchase and installation of flexible solar panels and for additional site improvements of the 36kW Photovoltaic Array Project, which will not exceed \$250,000, utilizing HB 562 – CAP 019 capital appropriation funds, be approved by the Board of Trustees.

Dr. McMaster made a motion to approve the above resolution, which was seconded by Ms. Talmage. Mr. Satkowski commented that the array will be located north of the Industrial and Engineering Technologies building. Following a voice vote, the motion was adopted.

## RESOLUTION 2009-11-10-15

BE IT HEREBY RESOLVED that the recommendation of the Treasurer and the President to award a contract to the following firm for renovations for the East Campus Sidewalk Renovation Project, HB 562 – CAP 019 capital appropriation funds, be approved by the Board of Trustees.

EAST CAMPUS SIDEWALK RENOVATION		
General Contractor	A. A. Boos & Sons, Inc. 2015 Pickle Road Oregon, Ohio 43616	
Base Bid		\$216,245.00
ALT G1	Add	\$70,000.00

Mr. Ault made a motion to approve the above resolution, which was seconded by Mr. Habegger. Following a voice vote, the motion was adopted.

**Compressed Work Week Schedule:**

## RESOLUTION 2009-11-10-23

WHEREAS, Owens Community College implemented a compressed work week schedule during summer semester 2009; and

WHEREAS, the compressed work week schedule of 37.5 hours, Monday through Thursday, is for the purpose of reducing energy consumption and expenses; and

WHEREAS, energy savings of over \$150,000 were realized during the summer 2009 pilot of the Energy Conservation Program; and

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Trustees approves the continuation of the compressed work week schedule for future summer semesters; and

BE IT FURTHER RESOLVED that the Board of Trustees authorizes the Executive Vice President/Provost and Executive Vice President/CFO to implement procedures consistent with the compressed work week schedule and the policies of the Board of Trustees.

Mr. Rowe made a motion to approve the above resolution, which was seconded by Ms. Talmage. Following a voice vote, the motion was adopted.

**Owens Police Swearing In Ceremony** – Chair Moore administered the oath of office to Chief of Police John Betori and Police Officers Luis Munguia and Danny Jones.

**EXECUTIVE SESSION**

Chair Moore announced an executive session to discuss collective bargaining, pending or imminent court action and the personnel employment of individuals. Mr. Molter made a motion to adjourn to executive session as specified. Dr. McMaster seconded the motion, and the Chair called for a roll call vote. Roll Call: John Ault, yea; David Habegger, yea; Ronald McMaster, yea; R J Molter, yea; John Moore, yea; Rich Rowe, yea; and Diana Talmage, yea (7).

Upon return from executive session, roll call was taken, and the following members were present: John Ault, David Habegger, Ronald McMaster, R J Molter, John Moore, Rich Rowe, and Diana Talmage (7).



**REGULAR REPORTS**

**Financial Statements** – Mr. Satkowski presented the financial statements. Chair Moore directed that the financial statements for the period ending September 30, 2009, be accepted and filed as submitted.

**Monthly Reports to the Board of Trustees** - Members of the Board of Trustees were issued copies of the regular reports of the Executive Vice President/Provost, Executive Vice President for Business Affairs/Chief Financial Officer, Executive Director of College Development and Interim Executive Dean of the Findlay Campus. Chair Moore directed that the monthly reports be accepted and filed as submitted.

**Statements and Comments by Members of the Board of Trustees** – Chair Moore thanked President Adams for her collaborative leadership since her appointment in 2001. He stated that the College is poised to move into the next decade of serving our students and communities. He commented that he is making arrangements for the Association of Community College Trustees to assist in a national search and that he expected the process to take six months.

**Appointment of Presidential Search Ad Hoc Committee** – In accordance with the Board of Trustees Constitution, Section 3358:11-1-01(G)(2), Chair Moore appointed the following Trustees to serve on a Presidential Search Ad Hoc Committee: Mr. Moore to serve as Committee Chair, Ms. Talmage and Dr. McMaster. He stated that other members from the public and the College community will be selected to serve on the committee.

**Adjournment** – As there was no further business to come before the Board of Trustees, Chair Moore declared the meeting adjourned.

**APPENDIX I  
ADOPTION OF ACADEMIC APPEAL POLICY**

**3358:11-2-54 Academic appeal policy.**

- (A) Purpose. Owens community college provides a process of appeal in the event that a student disagrees with a course grade or with an action taken within the teaching and learning process. The establishment of a process for the appeal of academic decisions is promulgated in the associated procedures by the associate vice provost.
- (B) Appeals. Types of appeals may generally include, but are not limited to, the following: a student appeals a course grade; a student appeals a formative evaluation such as a class assignment; a student disagrees with the interpretation of a syllabus or anything academic-related in nature.
- (C) Application. This policy applies to all full-time and part-time students, both credit and non-credit students.
- (D) Implementation. The associate vice provost will implement procedures, guidelines and forms consistent with the provisions of this policy as well as communicate same to students.

Effective date:           XX/XX/XXXX

\_\_\_\_\_  
Certification

\_\_\_\_\_  
Date

Promulgated under:	111.15
Statutory authority:	3358.08
Rule amplifies:	3358.08
Prior effective dates:	N/A

**APPENDIX II**  
**ADOPTION OF CYBERCOMMUTING POLICY**

**3358:11-4-18 Cybercommuting policy.**

- (A) Purpose. Owens community college considers cybercommuting to be a viable alternative for the college's business continuity plan, for campus emergencies, pandemic or other catastrophic incidents and situations. Owens community college also considers cybercommuting to be a viable alternative work arrangement on a case-by-case basis where the characteristics of an individual, a job and supervisor are best suited to such an arrangement.
- (B) Definition. Cybercommuting is when an employee works either at home, on the road, or at a satellite location for all or part of the regular work week. Cybercommuting is a voluntary work alternative that may be appropriate for some employees and for some jobs. It is not an entitlement; it is not a college-wide benefit; and it in no way changes the terms and conditions of employment with the college.
- (C) Application and Eligibility. This policy and accompanying procedures are applicable to eligible, non-bargaining unit employees. The approval of a cybercommuting work alternative is on a case-by-case basis, and it is at the convenience and sole discretion of the college.
- (D) Implementation. The vice president, human resources will implement procedures and forms, which are consistent with the provisions of this policy.

Effective date:           XX/XX/2009

\_\_\_\_\_  
Certification

\_\_\_\_\_  
Date

Promulgated under:	111.15
Statutory authority:	3358.08
Rule amplifies:	3358.08
Prior effective dates:	N/A

**APPENDIX III  
AMENDMENT OF PERSONNEL FILE POLICY**

**3358:11-5-05 Personnel file policy.**

~~(A) Contents of personnel files. Purpose. In accordance with section 149.43 of the Revised Code, commonly known as the Ohio public records act, a personnel file is a public record and is subject to section 149.43 of the Revised Code. It is the policy of Owens community college to comply with all federal and state laws regarding access to and content of information within employee personnel files. Some documents containing specific employee information that are maintained by the college are not public records such as medical records, intellectual property records and any other record made confidential by federal or state law or are not considered to be a public record.~~

- ~~(1) A personnel file is maintained in the human resources office. Changes of home address and telephone number must be reported to the human resources office immediately in order to maintain current personnel and payroll records.~~
- ~~(2) Other information relevant to an employee's work experience and responsibilities may be added by the employee to the personnel file as appropriate, i.e., education, copies of performance evaluations, upgrading of skills, letters of recognition, etc.~~

~~(B) Access to personnel files. Implementation. The vice president of human resources will implement procedures and forms with respect to access to, content of or other consideration of personnel files, which are consistent with the provisions of this policy.~~

- ~~(1) Every employee is permitted to gain access to the records maintained by the college's human resources office, which contain personal data regarding that employee. It must be made clear, however, that these records may be reviewed only in the presence of the vice president for human resources (or his/her designee).~~
- ~~(2) The employee may not, of his/her own discretion, mark up, change or in any way correct the data contained in the file. In order to make corrections to a personnel file, the employee must submit a formal request in writing to the vice president for human resources. If the request is granted, then the vice president for human resources will make the changes while the employee is present.~~
- ~~(3) If the request for a correction is turned down, the employee can then request that his/her statement of disagreement with the personnel files be placed within the file.~~

Effective date:           XX/XX/XXXX

\_\_\_\_\_  
Certification

\_\_\_\_\_  
Date

Promulgated under:	111.15
Statutory authority:	3358.08
Rule amplifies:	3358.08
Prior effective dates:	3/5/2002

**APPENDIX IV  
AMENDMENT OF STUDENT CONDUCT POLICY**

**3358:11-3-11 Student ~~code of~~ conduct policy.**

- (A) Purpose. Owens Community College ~~community college~~ aspires seeks to create maintain a learning environment ~~that provides quality technical and general education that meets the needs of its students and employers in its service area.~~ Students attending Owens Community College where students are expected to conduct themselves in a manner that supports the academic atmosphere of the college and respects the rights of other students and employees. The establishment of a conduct system with clear standards which 1) defines expected behaviors, 2) articulates prohibited behavior, 3) describes the disciplinary process, 4) outlines possible sanctions, 5) provides for due process rights, and 6) provides an opportunity for appeal are promulgated in the associated procedures by the vice president, student services. To accomplish these goals, this code respects the rights of other students and employees. To accomplish these goals, this code of student conduct is intended to establish a set of guidelines that students and student organizations should conduct themselves by. This code of conduct extends to behaviors both on and off campus, which negatively impacts the college or its students or staff. Students not able to meet these expectations may be subject to disciplinary action. All regulations, policies and procedures appear in the college catalog.
- (B) Application. This policy applies to all full-time and part-time students, both credit and non-credit students.
- (C) Implementation. The vice president, student services will implement procedures consistent with the provisions of this policy as well as communicate said procedures to students.
- ~~(B) Definitions:~~
- ~~(1) The term "college" means Owens Community College.~~
  - ~~(2) Student includes anyone taking credit or noncredit courses at Owens, whether full time or part time, pursuing an associate degree, certificate, transfer credits or taking courses as a guest student.~~
  - ~~(3) Faculty member refers to any person employed by Owens to teach classes.~~
  - ~~(4) Member of the college community includes students, faculty, staff, administrators, or any person employed by Owens.~~
  - ~~(5) Premises refer to all land, buildings facilities and other property owned or used by Owens.~~
  - ~~(6) Disciplinary Administrator—person authorized to determine whether a student has violated a code and to administer sanctions or consequences of actions (as outlined under Disciplinary process).~~
  - ~~(7) Student Appeals Committee—any person or persons authorized by the Disciplinary Administrator to consider and appeal resulting from the "Disciplinary Administrator's" determination of a student's violation of the student conduct or from the imposed sanction or consequences.~~
  - ~~(8) Involuntary Administrative Withdrawal—the withdrawal of a student from Owens Community College with no rights to the disciplinary process.~~
- ~~(C) Disciplinary authority.~~

- ~~(1) The Vice President of Student Services has been delegated authority to be responsible for the administration of the student codes of conduct. Disciplinary authority may be delegated to other college officials as deemed appropriate by the Vice President of Student Services.~~
- ~~(2) Faculty members have been delegated authority by the Vice President for Students Services in their classrooms to dismiss a student from class for behavior that disrupts the learning environment. This authority is limited to that days class session and the student may return to the next scheduled class.~~
- ~~(3) Campus security officials have been delegated the authority to act in the best interest of safety for the campus community on all premises governed by Owens Community College. Their authority includes the authority to cite a student for violation of the student code of conduct or dismiss a student from campus for the duration of a given day for which the student is found participating in behaviors that present a threat to the campus community.~~
- ~~(D) Prohibited conduct.~~
  - ~~(1) Acts of dishonesty includes, but is not limited to the following:
 
    - ~~(a) Cheating, plagiarism or other forms of academic dishonesty (as outlined in the cheating and plagiarism section of this catalog)~~
    - ~~(b) Falsification or misrepresentation of any college document or record by forgery or alteration.~~
    - ~~(c) Furnishing false information to any college administrator, staff or faculty member.~~~~
  - ~~(2) Offenses against person.
 
    - ~~(a) Conduct that threatens or endangers the health or safety of any person that includes but is not limited to: physical abuse, verbal abuse, threats, intimidation, harassment, sexual contact without permission and coercion.~~~~
  - ~~(3) Offenses against property.
 
    - ~~(a) The attempted theft, actual theft or the unauthorized use of possession of university property or services, or that of persons within the Owens community.~~
    - ~~(b) Actual or threatened destruction of university or persons personal property whether intentional or with reckless disregard.~~~~
  - ~~(4) Activities that disrupt order.
 
    - ~~(a) Includes conduct that unreasonably interferes with the function of classroom or college activities, whether college sponsored or not such as engaging in violent, abusive, disruptive, or disorderly behaviors in classes or on campus.~~~~
  - ~~(5) Activities that disregard health and safety.
 
    - ~~(a) Participating in actions that threatens or endangers the safety, physical or mental health, or life of any person in the campus community whether intentional or as a result of recklessness or gross negligence resulting from, but not limited to the following:
 
      - ~~(i) Use, possession or distribution of illegal drugs including the use of drug related paraphernalia on college premises.~~
      - ~~(ii) Use, possession or distribution of alcoholic beverages on college premises.~~
      - ~~(iii) Use or possession of dangerous weapons or devises such as firearms, explosives, or dangerous chemicals, on college property, that is not authorized by the appropriate college official or permitted by college policy.~~~~~~

- (iv) ~~Participation in riotous behavior that results in injury to persons or property.~~
- (6) ~~Violation of college policies, rules or regulations.~~
  - (a) ~~Such regulations may include, but are not limited to, the computer policies, parking and traffic regulations, and policies that govern student organizations.~~
- (7) ~~Violation of federal, state and local laws.~~
  - (a) ~~Any act or omission that constitutes a violation of federal, state or local laws.~~
- (8) ~~Failure to comply with college authority.~~
  - (a) ~~Failure to comply with legitimate directives of authorized college officials or law enforcement. This includes, but is not limited to failure to identify oneself when requested or violation of a disciplinary sanction.~~
- (E) ~~Disciplinary process.~~
  - (1) ~~To maintain an environment conducive to scholastic achievement, freedom of discussion and inquiry where all members of the campus community feel safe, this student code of conduct must be maintained. Violation of the student code will result in disciplinary action. Students can expect any of the following to result depending on the nature and severity of the offense.~~
  - (2) ~~Informal disciplinary action.~~
    - (a) ~~Any violation of the student code of conduct that result in continued disruption of the learning environment or that poses a threat to the campus community will result in immediate disciplinary action. The vice president of student services, person designated by the vice president of student services, campus security or a classroom instructor has the authority to act according to the delegated authority outlined under section II, disciplinary authority.~~
    - (b) ~~A student who is dismissed from the campus for the duration of a given day, for which the student is found participating in behaviors that present a threat to the campus community, may not return to the campus until he or she meets with the vice president for the student services of his designee. The student will report to the security office where and Owens Community College security offices will escort the student to the office of the vice president for student services.~~
  - (3) ~~Formal complaint.~~
    - (a) ~~A formal complaint filed against a student suspected of violating this Code may be filed by any person, but must be in writing and directed to the vice president of student services.~~
    - (b) ~~Complaints should be submitted seven to ten calendar days after the violation occurs, except in exigent circumstances.~~
    - (c) ~~The vice president of student services or designee may conduct an investigation into the merit of the complaint to determine whether it can be disposed of. If it is determined that the case has no merit and is disposed of, such findings shall be final. If further action is require, the student will begin the formal disciplinary process.~~
    - (d) ~~In the event that the complaint is due to a violation that endangers or threatens or may have endangered or threatened self, others or property within the Owens community, a student may be dismissed from Owens involuntarily. A preliminary investigation will be conducted to make such a determination and a hearing will be conducted within a reasonable period of time on the merits. In the event that a preponderance of evidence proves the complaint to be true,~~

~~the student will be diverted from the formal disciplinary process and receive an involuntarily administrative withdrawal.~~

~~(4) Formal disciplinary process.~~

- ~~(a) A student found in violation of the code of conduct will be required to meet with the disciplinary administrator or designee. Prior to meeting the disciplinary administrator or designee, the student will receive:
 
  - ~~(i) Written notice of the complaint, including the section of the student code of conduct violated, prior to meeting with the disciplinary administrator or designee.~~
  - ~~(ii) Reasonable access to the evidence of the alleged violation during the disciplinary meeting (if available).~~
  - ~~(iii) An opportunity to respond to the complaint.~~
  - ~~(iv) Final written notice of the determination of the disciplinary administrator or designee, including any sanction(s).~~~~

~~(5) Sanctions.~~

- ~~(a) The following are examples of sanctions that may be imposed upon any student found to have violated this code, but does not constitute an exhaustive list of potential sanctions. Unlike with involuntary administrative withdrawal, a student may appeal any of these decisions:
 
  - ~~(i) Warning — verbal or written that if the violation is continued, or repeated, the student may be subject to additional disciplinary action.~~
  - ~~(ii) Disciplinary probation — a written reprimand outlining the violation a student has committed. The probation is for a specified period during which the student is considered not to be in good academic standing.~~
  - ~~(iii) Fines — monetary charges for violation of the student codes such as parking violation, smoking in prohibited areas, etc.~~
  - ~~(iv) Restitution — compensation for loss, damage or injury.~~
  - ~~(v) Loss of privileges — loss or denial of privileges certain amenities, services, etc. for a specified period of time.~~
  - ~~(vi) Discretionary sanctions — work assignments in service to the college or other miscellaneous assignments.~~
  - ~~(vii) Referral to an outside agency for assistance — a student may be required to an outside agency to seek assistance from a psychologist, substance abuse counselor, etc. if the vice president of student services reasonably believes the student may need such services.~~
  - ~~(viii) Suspension — will result in the student's separation from the college for a specified period of time.~~
  - ~~(ix) Expulsion — removal of a student permanently from the college.~~~~

~~(6) Appeals.~~

- ~~(a) A student may appeal the decision rendered by the disciplinary administrator and request a hearing before a disciplinary hearing committee. The only grounds for such an appeal are prejudicial procedural error, prejudicial error as to findings of fact, discovery of substantial new facts unavailable at the time of the hearing, or excessive severity of the sanction. A student appeals packet that outlines the appeal procedures will be provided by the vice president of student services' office.~~
- ~~(b) The disciplinary appeals committee consists of six (6) members, including two faculty appointed by the provost, one administrator and one staff member, both appointed by the vice president of human resources, and two students~~



~~appointed by the president or vice president of student government. The administrator will serve as chairman of the committee. Four committee members shall constitute a quorum.~~

- ~~(c) The student may submit a written statement, may invite witnesses to testify on her/his behalf, and question a witness who appears against him/her. If the student elects not to attend the hearing, the charges will be reviewed as scheduled on the bases of the information available and a decision made.~~
- ~~(d) During the disciplinary hearing, an advisor they choose at their expense may assist a student. The student is responsible for presenting his or her own case and, therefore, advisors are not permitted to speak or participate directly in any hearing before the disciplinary appeals committee.~~
- ~~(e) After hearing testimony and reviewing the documents submitted, the committee will retire to consider the evident and render a decision. The committee will determine if the student did violate the student code of conduct and, if so, what penalty to impose. The decision must be the results of a majority vote of the committee members present and voting.~~
- ~~(f) Upon reaching its decision, the committee will forward its recommendations to the vice president for student services. Upon review and acceptance of the recommendations, the vice president will notify the student formally, by registered mail, of the decision, with copies to the registrar.~~

Effective date:           XX/XX/XXXX

\_\_\_\_\_  
Certification

\_\_\_\_\_  
Date

Promulgated under:	111.15
Statutory authority:	3358.08
Rule amplifies:	3358.08
Prior effective dates:	3/26/04

**APPENDIX V**  
**RESCISSION OF STUDENT GRIEVANCE/APEALS PROCEDURE POLICY**

**3358:11-3-12 Student grievance/appeals procedure.**

(A) Purpose.

- (1) Owens Community College encourages feedback from students at any time during their enrollment as part of the college's continued attempt to provide services to meet student needs. In spite of the college's efforts to serve students, there may be an occasion when a student:
  - (a) Disagrees with a decision or action of an Owens administrator, faculty or staff member of the disciplinary hearing committee.
  - (b) Disagrees with a policy of the college.
  - (c) Disagrees with implementation of a policy.
  - (d) Feels they have been discriminated against. (Discrimination on the basis of sex, race, color, religion, national origin, ancestry, age or disabilities is not lawful.)
- (2) The student grievance/appeals procedure is intended to provide students, for any of the reasons listed in paragraph (1)(a) through paragraph (1)(d) of this rule, a process of communicating a grievance and appealing decisions. For the purposes of this procedure, a "day" is defined as a day Monday through Friday on which the college is open.
- (3) The student grievance/appeals procedure is an internal procedure, which involves no external representation or intervention. If the student initiates legal action against the college or an employee of the college, the internal grievance/appeals process will terminate.

(B) Student appeals committee.

- (1) The student appeals committee shall consist of:
  - (a) Four faculty members – three voting faculty members and one non-voting faculty member who will serve as the chair and vote only in the event of a tie.
  - (b) Three voting student members.
- (2) A quorum will consist of at least two student members and two faculty members plus the chair. A vote of at least three members is necessary to recommend the appropriate action.
- (3) Appeals committee members who have a vested interest in a particular case will remove themselves from deliberations regarding that case.
- (4) Faculty representatives will be selected in the fall of each year by popular vote of the faculty. The faculty member receiving the greatest number of votes will serve as the chair. (Terms of office will run for one academic year.) In the event of a vacancy on the committee, the faculty member receiving the next highest number of votes will be asked to fill the vacancy.
- (5) Student volunteers will be solicited for membership on the committee. The student members will be appointed by the vice president for student services at the beginning of each academic year.
- (6) Transcripts will be made of all student appeals committee hearings.

(C) Procedures.

- (1) Step one. Step one is an informal process by which the student discusses his/her grievance with appropriate persons.
  - (a) The student must first discuss the action, which is at the source of the disagreement, with the person directly involved with the disputed action. If an acceptable solution

is not reached as a result of the discussion with the person at the source of the dispute, the student must bring the grievance for consideration to the various levels of administration through the appropriate vice president. (For example, if a student has a grievance with a faculty member and cannot resolve the matter with the faculty member, the student next talks with the chair of the faculty member's technology, then the dean of the faculty member's academic division, and then the vice president for academic services.) The discussions involved in step one must be completed within twenty days of the disputed action.

(2) Step two.

- (a) If it is not possible to resolve the grievance through the informal process outlined in step one, the student may advance the grievance to step two. Step two represents the beginning of a formal process for further discussion of the grievance. The formal process of the grievance procedure is facilitated by the vice president for student services unless the grievance is against or involves the vice president for student services. In that case, the vice president for academic services shall serve as the facilitator for the procedure.
- (b) To initiate the formal process, the student must submit on the appropriate form a signed written request for a hearing before the student appeals committee (non-grade appeals) or council of deans (grade appeals).
- (c) The vice president for student services will meet with the student to discuss the grievance. The vice president for student services, as necessary, may consult with other involved parties in an attempt to resolve the problem. If a resolution to the issue is not achieved through this discussion within ten days, the student will officially confirm his/her intent to proceed to step three.

(3) Step three.

- (a) Process for a non-grade appeal.
  - (i) The vice president for student services will present the members of the student appeals committee and the appropriate vice president with a copy of the written charge within five days of completion of step two of the grievance procedure.
  - (ii) With the assistance of the vice president for student services, the committee will convene a hearing within ten days of receipt of the charge, notifying all parties involved.
  - (iii) During the appeals hearing, it shall be the responsibility of the student to provide information, call witnesses, and present testimony relevant to the grievance. The student filing the grievance may select a representative, which is defined as a full-time employee of the college, to assist him/her during the appeals process. (The full-time employee selected by the student may not have a vested interest in a particular case.) An appointed college representative may also provide information, call witnesses, and present testimony on behalf of the college. (Only the appropriate appointed representative and the individual presenting testimony will be permitted in the hearing room.)
  - (iv) The chair of the student appeals committee, on behalf of the student appeals committee, will render its decision, in writing, to the vice president for student services within five days of the appeals hearing. The decision of the student appeals committee must uphold the original action, dismiss the action or propose a compromise.
- (b) Process for a grade appeal.
  - (i) The vice president for academic services will present the council of deans with a copy of the written charge within five days of completion of step two and a

copy of the written report prepared by the student as to why he/she feels the grade is unfair.

- (ii) Within ten days of receipt of the charge and report from the student, the involved faculty member will submit a written report justifying and giving rationale for the grade. During this same time period, the student and/or faculty member may submit written reports in support of their position from full-time or part-time college employees or Owens students.
  - (iii) Within ten days following receipt and review of all written materials, the council of deans will render a decision or convene for a hearing. In the event of a hearing, the student and faculty member and any witnesses who have submitted reports will be called upon to provide additional information, which they feel pertinent to the case, and to answer any questions from the council of deans. If a formal hearing is convened, the student and faculty member may have a representative who is a full-time employee of the college present while he/she and his/her witnesses provide testimony.
    - (a) The vice president for academic services facilitates the process and chairs the council of deans hearing but votes only to break a tie. The dean of the academic division in which the grade appeals is involved does not participate in the hearing.
  - (iv) The vice president for academic services will render the decision of the council of deans, in writing, within five days of the student grade appeals committee hearing to the student. Copies of the decision will be sent to the involved instructor and his/her chair and dean, as well as members of the council of deans. The decision of the council of deans must uphold the original grade, reverse the grade or propose a compromise. The decision of the council of deans shall be considered final for all grade appeals.
- (4) Step four.
- (a) If an acceptable resolution to the issue is not found, either the student or the person against whom the grievance was filed may appeal the action of the student appeals committee to the vice president for academic services. The signed appeal must be made in writing to the vice president for academic services within ten days of the decision of the student appeals committee.
  - (b) The decision of the vice president for academic services will be rendered within fifteen days of the conference with the person appealing the decision. The decision of the vice president for academic services shall be considered final for all grievance procedures.
  - (c) In cases of alleged discriminatory complaints, the vice president for academic services shall serve as a mediator. The student may move the complaint to the office of civil rights.

Effective date: XX/XX/XXXX

---

Certification

---

Date

Promulgated under: 111.15  
 Statutory authority: 3358.08  
 Rule amplifies: 3358.08  
 Prior effective dates: 3/5/02

**APPENDIX VI**  
**ADOPTION OF STUDENT NON-ACADEMIC APPEAL POLICY**

**3358:11-3-64 Student non-academic appeal policy.**

- (A) Purpose. Owens community college encourages feedback from students at any time during their enrollment as part of the college's continuous effort to provide better service for students. The establishment of a process for student non-academic appeals is promulgated in the associated procedures by the vice president, student services.
- (B) Appeals. Types of appeals may generally include, but are not limited to, the following: a student appeals a staff decision, for example - rules for activities in the student health and activities center; a student appeals a financial aid decision; a student appeals an account in the bursar's office or anything student-related in nature.
- (C) Application. This policy applies to all full-time and part-time students, both credit and non-credit students.
- (D) Implementation. The vice president, student services will implement procedures, guidelines, forms consistent with the provisions of this policy as well as communicate same to students.

Effective date:           XX/XX/XXXX

\_\_\_\_\_

Certification

\_\_\_\_\_

Date

Promulgated under:	111.15
Statutory authority:	3358.08
Rule amplifies:	3358.08
Prior effective dates:	N/A

**APPENDIX VII**  
**AMENDMENT OF ZERO TOLERANCE/WORKPLACE VIOLENCE POLICY**

**3358:11-5-50 Zero tolerance/workplace violence policy.**

- (A) Purpose. It is the goal of Owens community college to maintain a work environment, which is free from threats, threatening behavior and acts of violence. The college will not tolerate workplace threats, intimidation or violence of any type from any source. The purpose of this policy is to promote an atmosphere that encourages learning and productive employment.
- (B) Action. Employees found to be in violation of this policy or who intentionally bring false charges shall be subject to disciplinary action up to and including termination, including civil and/or criminal penalties.
- (C) Responsibilities. Employees and students of Owens community college who have obtained a protective order are responsible for providing a copy of the order to the college's department of public safety. Other parties may also be informed when deemed necessary for the safety of employees and students of the college.
- (D) Implementation. The vice president of human resources will implement procedures consistent with this policy.

Effective date:           XX/XX/XXXX

\_\_\_\_\_  
 Certification

\_\_\_\_\_  
 Date

Promulgated under:	111.15
Statutory authority:	3358.08
Rule amplifies:	3358.08
Prior effective dates:	11/24/2007