

**Ohio University Faculty Senate**  
**Monday, September 11, 2017**  
**Margaret M. Walter Hall, Room 135, 7:10pm**  
**Meeting Minutes Final**

In attendance

Group I

- *College of Arts and Sciences*: J. Andrews, G. Buckley, D. Clowe, S. Gradin, K. Hicks, G. Holcomb, J. McLaughlin, R. Muhammad, R. Palmer, P. Patton, [sub. for H. Perkins], N. Reynolds, W. Roosenburg, N. Sandal, B. Schoen, C. Snyder, E. Stinaff,, J. White, S. Wyatt
- *College of Business*: K. Hartman, D. Ridpath, A. Rosado Feger
- *College of Fine Arts*: C. Buchanan, K. Geist, A. Hibbitt, H. Siebrits, D. Thomas
- *College of Health Sciences and Professions*: R. Brannan, F-C. Jeng, A. Sergeev
- *Heritage College of Osteopathic Medicine*: B. Franz, S. Williams, J. Wolf
- *Patton College of Education*: G. Brooks, L. Harrison, S. Helfrich
- *Regional Campus – Chillicothe*: Allison White
- *Regional Campus – Eastern*: P. McMurray-Schwarz
- *Regional Campus – Lancaster*: C. Thomas-Maddox
- *Regional Campus – Southern*: O. Carter
- *Regional Campus – Zanesville*: J. Taylor, Amy White
- *Russ College of Engineering*: D. Arch, J. Cotton, D. Masel, G. Weckman
- *Scripps College of Communication*: B. Debatin, S. Girton (excused) F. Lewis, T. Roycroft
- *Voinovich School of Leadership and Public Affairs*: D. Kauneckis

Group II and Clinical

- *Athens At Large*: D. Duvert, C. Schwirian
- *Clinical*: J. Balbo
- *College of Arts & Sciences*: H. Edwards
- *College of Business*: T. Barnett
- *College of Health Sciences and Professions*: M. Clevidence
- *Patton College of Education*: C. Hartman
- *Regional Higher Education*: D. Nickles, T. Pritchard

Excused: S. Girton, H. Perkins

Absent:

## MEETING AGENDA

- I. President M. Duane Nellis (to attend the meeting at 8:15 p.m.; introductory remarks made by Interim Executive Vice President & Provost David Descutner)
- II. Interim Executive Vice President & Provost David Descutner
- III. Presentation on Regional Higher Education—Executive Dean Bill Willan
- IV. Roll Call and Approval of the May 1, 2017 Minutes
- V. Chair’s Report—Joe McLaughlin
  - Report on Summer Activities
  - Updates and Announcements
  - Status of Resolutions
  - Senate Committee Preferences & Assignments
  - **Upcoming Senate Meeting: October 16, 2017, 7:10pm, Walter Hall 235**
- VI. Executive Committee—Joe McLaughlin
  - a. New Policy on “Freedom of Expression” No. 24.014: <https://www.ohio.edu/policy2/24-014.html> --Discussion (Appendix A)
  - b. Revised Policy on “Use of Outdoor Spaces on the Athens Campus” No. 24.016: <https://www.ohio.edu/policy/24-016.html> --Discussion (Appendix B)
- VII. Educational Policy & Student Affairs Committee—Katie Hartman
  - a. Resolution to Change Grade Appeals Language in the Faculty Handbook—First Reading
- VIII. Finance & Facilities Committee—Susan Williams
- IX. Professional Relations Committee—Sarah Wyatt
- X. Promotion & Tenure Committee—Sherrie Gradin
- XI. New Business
- XII. Adjournment

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Meeting called to order by Joe McLaughlin (Faculty Senate Chair) at 7:10PM

Interim Executive Vice President & Provost David Descutner announced the following:

- 1) The DACA Open House on September 6 hosted by Ohio University went well. The campus community has appreciated President Nellis's statement in support of DACA students.
- 2) Interim Provost Descutner joined faculty and other administrators on a tour of the area, highlighting the work of community groups engaged in environmental and economic sustainability. Senators Cindy Hartman and Geoff Buckley led this tour through several local towns and villages.
- 3) Interim Provost Descutner also attended the College of Osteopathic Medicine body donor program event where family members of those who have donated their bodies to science following their passing are acknowledged.
- 4) Enrollment is down slightly with an overall number of 35,845. The undergraduate student population on the Athens campus stands at 23,158, graduate students number 5,252, and medical students have risen to 918. The University notes that 25.2% of undergraduates are First Generation. The GPA of all incoming students this year is 3.54. The retention rate is down 1.5% from last count.

Finally, Interim Provost Descutner agreed to answer questions and take comments before President Nellis's arrival regarding the two new interim policies regarding "Freedom of Expression" and Use of Outdoor Spaces on the Athens Campus." Descutner noted that the University proposes to hold open forums and to entertain the idea of extending the deadline for feedback.

The following questions and comments were discussed:

Senator Debatin raised procedural and substance questions as to why interim policy did not include a description as required by University policy. Furthermore, why was there a hurry to implement the policy? Where is the complete description?

Interim Provost Descutner replied that in light of Judge Grace's decision last spring there was a sense of urgency to have a policy in place.

John Biancamano, General Counsel, added that last February's incidents highlighted a need for a policy in place at the beginning of the semester. Proceed with consultative policy.

Senator White asked if we needed to have policy to allow students to be arrested.

Senator Roycroft pointed out that in the policy there are references to sections that do not exist and that overall these are sloppy documents.

Senator Holcomb asked why wasn't Faculty Senate consulted?

Interim Provost Descutner reiterated the sense of urgency and summertime schedule.

Senator Debatin, commented that the policies were a sweeping, squashing of freedom of expression and signal a dangerous prohibition of freedom of speech.

Interim Descutner said Deans and Legal Affairs had reviewed the policies.

Senator Hicks, philosophical question, how do you balance between freedom of expression and safety.

Interim Descutner agreed these were important questions. Examples of protests outside classroom would indicate that student learning was being interrupted. He said in those situations there would be an apparent need for students and/or protesters to be referred to OU official or administrator for other venues.

Senator Gradin recommended drawing on the expertise of community activists and not just that of police officials. The policy language used currently is overly general and broadens the scope of prohibited behavior.

Senator Harrison said that the consequences of protests should be clear, especially to students

Senator Wolf disagree with the policy's sweeping language including interior and exterior places on the campus, calling into question which gatherings or meetings might be considered disruptive.

Senator Buckley added that the narrow definition of educational activity was problematic. The University's response to the February events was an overreaction to the students.

Senator Nickles recommended the consideration of meaningful interaction and questioning of policy by students.

Faculty Senate Chair McLaughlin stated that if the deadline for feedback to the President is extended, then a memo in writing explaining reason for interim policy recommended. The downside of extending the deadline is the extension of time we live under interim policies that are not supported by faculty.

Senator Debatin said that the list of venues prohibited and the meaning of any type of protest put into question this policy constitutionality. That passage, referring to prohibited venues, should be removed from the interim policy entirely.

Senator Descutner suggested that other policies from other universities were studied.

Senator Abu-Rish queried how to make the best use of the positive atmosphere created by the new Presidential administration. What is the process of the commentary time? How can the administration do a better job in representing treatment?

John Biancamano commented that University Policy 01 – 001 (Policy of Policy) is relevant to this process of comment and implementation.

## **II. David Descutner, Interim Executive Vice President & Provost**

Interim Provost Descutner reported that a review of RCM with faculty representation was under way. John Day, Associate Provost for Academic Budget & Planning added that the committee will be free to explore how resources, in anticipation of a final report by spring 2018.

Senator White asked if there is a possibility that RCM will go away?

Senator Day replied that he wouldn't say that, since resources allocated and budgeted in some way. A variant of RCM is more probably and, there was no such thing as doing away with RCM altogether.

Senator Williams noted that graduate students also feel the effects RCM.

## **III. Bill Willan, Executive Dean RHE**

Executive Dean Willan made a Powerpoint presentation and highlighted the following.

- 1 )Dean Willan encourage all campuses do not want to be out of touch with all corners of OU.
- 2) Challenges to 2 and 4 year universities are also felt by OU regional campuses. A primary concern is declining enrollment. Hocking College, and others are experiencing the same thing.
- 3) A positive development is that regional campuses get credited for the degrees awarded on those campuses.
- 4) College Credit Plus has decreased enrollment tuition. All CCP instructors in high schools are fully qualified.

The following questions and comments were discussed:

Vice-Chair Thomas raised the issue of CCP and quality. Campus experience is the most straightforward way to maintain the quality and avoid remediation.

Senator Balbo asked if CCP is not at a university campus.

Dean Willan provided clarification: CCP students are high school students are in CCP courses at the high schools.

Senator Brannan noted that high school credits made in high school classes are then transferred into university credits.

Senator Debatin state that CCP created a catch-22 regarding a growing concern among high schools that they are not able to fill their classrooms.

Dean Willan said that assistance to high school instructors is available for them to get their masters.

Senator Rosado-Feger noted that there is a disincentive to send students to university campus.

Senator Partyka commented that CCP was problematic in terms of vetting; high school classes are a combination of CCP and regular high school students.

Upon President Nellis's arrival, he was introduced by Faculty Senate Chair Nellis and gave the following remarks:

- 1) The President noted the solemn occasion of the September 11 anniversary. He was pleased to join others in the Better Together walk earlier in the day.
- 2) President Nellis also commented on the useful and positive connections made through the community tour.
- 3) He has been excited about the student interaction he has experienced so far and hopes that the feeling of inclusiveness continues to be felt.

The following questions and comments were raised:

Senator Harrison asked if the President believed that higher education was the tide that raises all ships – education.

President Nellis agreed that higher education played an important role in assisting people and business to do well.

#### **Roll Call and Approval of the May 1, 2017 Minutes**

Roll call (Executive Secretary Muhammad)

**Wolf** moved to approve the minutes, seconded by **Thomas**. Minutes were approved by a voice vote.

#### **IV. Chair's Report (Joe McLaughlin)**

Chair McLaughlin reported on a very busy summer, including several items:

1) He attended three Board of Trustees meetings. Flat state funding and no raising of tuition are recurring themes. At the August Trustees meeting it was noted that the lack of raise pools is not sustainable.

2) Nominees the VP for Advancement Search Committee were Senator Williams and Pete Mather. Nominees for EVPP search committee should be sent to the Faculty Senate Chair.

3) Chair McLaughlin announced that an Email would be coming out regarding investiture, October 18 at 2 pm. Senators were asked to encourage attendance in the faculty procession where possible.

4) University College Dean Sayrs made a brief announcement about the basic needs initiative: filling the gap in resources for students for food, shelter, etc. Studies show what \$250 worth of resources is often the difference between a student staying in higher education or leaving. Any faculty who interested on serving on this committee are to contact Dean Sayrs at Email: [sayrs@ohio.edu](mailto:sayrs@ohio.edu). Senator White asked if regional campuses would be included. Dean Sayrs responded that the initiative would start with the Athens campus initially and move out to the regional campuses.

5) The Executive Committee met with the Interim Provost to discuss the interim policies, raising many of the questions and concerns aired at tonight's meeting. Next steps will involve soliciting responses from faculty and students. Contact the Faculty Senate Chair if you have questions or concerns. Senators can also gather feedback and forward it to the Executive Committee.

Additional discussion followed:

Senator Schoen recommended an open forum for faculty, student, et al.

Senator Debatin commented that the University should not delegate academic work to police.

Senator Andrews said that the administration charged with looking after student affairs during the spring semester had demonstrated a dereliction of duty.

Senator Sandal reiterated the importance of keeping in touch with students and writing a policy that is informed by other university policies.

Senator Holcomb stated that Faculty Senate should be involved in the writing of the policy.

Faculty Senate Chair McLaughlin agreed that Faculty Senate and student senates should have been invited to comment on the interim policy earlier.

Student Senate representative Lance noted that the interim policies were approved by August 17, but student senate did not find out about them until September 7.

6) Senate committee preferences and assignments have been implemented.

7) Upcoming Senate Meeting: Monday, October 16, 2017, 7:10PM, Walter Hall 235

## **VI. Executive Committee – Joe McLaughlin**

- a. New Policy on “Freedom of Expression” No. 24.014: <https://www.ohio.edu/policy2/24-014.html> --Discussion
- b. Revised Policy on “Use of Outdoor Spaces on the Athens Campus” No. 24.016: <https://www.ohio.edu/policy/24-016.html> --Discussion

## **VII. Educational Policy & Student Affairs Committee (Katie Hartman)**

Resolution to Change Grade Appeals Language in the Faculty Handbook (Appendix D)

In reference to the first reading there was the following discussion:

Senator Buchanan noted that the College of Arts & Sciences mentioned that timeline was not working well.

Associate Dean Dewald suggested that 15 days is not enough perhaps 30 days is better and cautioned against exceptions.

Senator Arch said an incomplete grade is turned into an F and asked if this affected the timing of the days allowed for an appeal.

Senator Masel clarified that we were speaking of calendar days and not business days.

Associate Dean Dewald, faculty records keep for one semester.

Senator Schwarz raised the possibility of extending committee time to 90 days instead of 70 days.

Senator White questioned the timing of Dean’s decision. 15 days is ok with some exceptions.

Senator Schoen queried if 30 days too much for the student’s appeal.

Senator Schwirian suggested if student was appealing grade, then a case-by-case basis appeal would be appropriate.

**Please see Appendix E for a Statement issued by the AAUP-Athens Chapter regarding the interim policies. This item was not read or discussed directly but was distributed as hard copy at the meeting.**

## **VIII. Finance & Facilities Committee (Susan Williams)**



As RCM is being reevaluated F&F will want to poll what is being brought back to various units by the liaisons in hopes of answering questions and providing greater transparency.

**IX. Professional Relations Committee (Sarah Wyatt)**

Among other matters, PRC would be focusing on the impact of the new interim policies on student learning and faculty's academic freedom.

**X. Promotion & Tenure Committee: Sherrie Gradin**

Currently, the P&T committee would working through cases and dovetailing, where appropriate, with other committees.

**XI. New Business**

No New Business

**XII. Adjournment**

Senator Thomas moved to adjourn, seconded by Senator Balbo. The meeting was adjourned at 9:25 PM.

## 24.014: Freedom of Expression

<b>Status:</b>	Approved on August 17, 2017, for interim use in accordance with Policy <a href="#">01.001</a>	<b>Signatures and dates on archival copy</b>
<b>Effective:</b>	when approved	
<b>Initiated by:</b>	John Biancamano General Counsel	
<b>Endorsed by:</b>	David Descutner Interim Vice President and Provost	
<b>Approved by:</b>	M. Duane Nellis President	

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### 1. Purpose

The purpose of this policy is to promote the free exchange of ideas while ensuring the safe and efficient operation of university facilities and outdoor spaces.

### 2. Freedom of expression in outdoor spaces

University employees and students and groups or individuals not affiliated with the university may reserve and use available outdoor spaces for any legal purpose, including to engage in constitutionally protected speech, subject to compliance with the rules set forth in policy number 24.016. The university reserves the right to limit use of some outdoor spaces to

university employees and registered students. Users must not materially disrupt educational and research activities and other university operations or interfere with the activities of other users of the space or adjacent areas.

The unscheduled use of outdoor spaces for the purpose of engaging in constitutionally protected speech shall be permitted provided the space has not already been reserved by another user and that the unscheduled use does not result in disruption as defined below.

The rights of individuals authorized to attend an event in an outdoor space to engage in constitutionally protected speech shall not be limited, provided they do so in a manner that does not materially disrupt the event or prevent others from expressing their views. Attendance at an event is authorized if the event is open to the public or, in the case of limited admission events, the individual has a ticket or invitation or satisfies other appropriate admission criteria.

The university may provide a segregated space for protesters attending an event if, in the reasonable judgment of the university, that is necessary to preserve order and ensure the physical safety of all participants in the event.

### **3. Freedom of expression in university buildings**

University employees and students and groups or individuals not affiliated with the university may reserve and use available facilities, such as classrooms and other identified meeting spaces for any legal purpose, including to engage in constitutionally protected speech, subject to applicable building rules and scheduling requirements. The university reserves the right to limit use of some facilities to university employees and registered students. Users must not materially disrupt educational and research activities and other university operations or interfere with the activities of other users of the facility.

The rights of individuals authorized to attend an event in a university building to engage in constitutionally protected speech shall not be limited, provided they do so in a manner that does not materially disrupt the event or prevent others from expressing their views. Attendance at an event is authorized if the event is open to the public or, in the case of limited admission events, the individual has a ticket or invitation or satisfies other appropriate admission criteria.

The rights of individuals authorized to be present in university buildings to engage in discussions and other forms of constitutionally protected speech shall not be limited so long as these activities do not disrupt university operations as defined in part four, below.

Demonstrations, rallies, public speech-making, picketing, sit-ins, marches, protests, and similar assemblies are not permitted in the interior spaces of university buildings. This provision shall not limit the right of groups or individuals to reserve available facilities in accordance with part C (1), above.

This policy shall not limit the university's use of interior spaces in its own buildings for official events and other functions.

## **4. Disruption of university operations and activities**

Users of university facilities and outdoor spaces must not engage in conduct that materially disrupts university operations and activities. For example, such disruption may occur where conduct:

1. substantially interferes with the ability of university employees to perform their university responsibilities;
2. substantially interferes with the ability of students to participate in academic, research or extracurricular activities or to use university facilities;
3. substantially interferes with an authorized event or activity conducted in university facilities or outdoor spaces;
4. materially impedes the flow of pedestrian or vehicular traffic;
5. presents a reasonable risk of physical harm to individuals or damage to university property.

## **Reviewers**

Proposed revisions of this policy should be reviewed by:

1. Faculty Senate
2. Administrative Senate
3. Classified Senate
4. Deans
5. Chairs and Directors
6. Graduate Student Senate
7. Student Senate
8. Chief of Police
9. Executive Director of Baker Center

## **Forms, References, and History**

### **1. Forms**

There are no forms specific to this policy

### **2. References**

There are no items relevant to this policy.

### **3. History**

Draft versions of this policy that were circulated for review, their cover memos, their forms, and Reviewers' comments on them are available on the password-protected Review site, at <https://www.ohio.edu/policy2/24-014/>.

There are no previous versions of this policy.

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## 24.016: Use of Outdoor Space on the Athens Campus

<b>Status:</b>	Approved on August 17, 2017, for interim use in accordance with Policy <a href="#">01.001</a>	<b>Signatures and dates on archival copy</b>
<b>Effective:</b>	when approved	
<b>Initiated by:</b>	John Biancamano General Counsel	
<b>Endorsed by:</b>	David Descutner Interim Executive Vice President and Provost	
<b>Approved by:</b>	M. Duane Nellis President	

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### 1. Scope

This policy provides guidelines for the reservation and use of outdoor spaces on the Athens campus. University employees and students and groups or individuals not affiliated with the university may reserve outdoor spaces in accordance with this policy, subject to the provisions of policy number [24.016](#), Freedom of Expression.

It is the responsibility of the executive director of baker university center to administer the provisions of this policy and procedure in consultation with and with the assistance of appropriate administrative officers.

## 2. Activity-specific provisions

In addition to the general policy statement here, specific policies and procedures apply to each site, as delineated below.

1. Outdoor spaces may be reserved by the same individual or group for up to three consecutive days and for no more than nine days per academic term.
2. All food uses must comply with relevant office of environmental health and safety regulations, and with policies [47.010](#), and [47.015](#).
3. All income-generating activities of student organizations must comply with relevant regulations of the campus involvement center and the office of the bursar, and with policies [23.050](#), [24.002](#), [24.005](#), and [51.001](#).
4. The executive director of Baker university center in consultation with the vice president for student affairs and affected departments may grant exceptions to any provisions of this policy and procedure. Decisions to grant or deny exceptions may not be based on the content of the proposed activity, nor on the viewpoints advocated by the participants.
5. Use of alcoholic beverages is prohibited at the sites delineated below, except in accordance with policy [24.001](#).
6. Any proposed commercial activity
  1. will be limited to baker university center and be consistent with policy [24.005](#), or
  2. will follow the rules set forth in policy [42.550](#).

## 3. General provisions

### 1. Application process

Individuals or groups desiring to reserve a space covered by this policy should review the guidelines for use of each space and then complete an [outdoor space reservation request form](#) at least 24 hours in advance of the event. Reservations may be made in accordance with event services reservation policies and timelines. The information provided on the form must specify the following:

1. A detailed description of the activity that is proposed.
2. Beverages and food to be served or sold.
3. Equipment to be utilized (chairs, tables, platforms, food service, etc.)
4. Set-up and clean-up procedures and timetable.
5. Date and time of event.
6. Organization sponsoring the event.
7. Name, address, phone number, and email address of a contact person.
8. Billing information when services are requested that have applicable fees.

It is the event requester's responsibility to contact facilities management to coordinate any equipment needs. Charges may apply. Unaffiliated individuals will work directly with the office of event services to coordinate event setup needs. Charges will apply for this service.

## **2. Sound systems**

For the spaces below that specify that a sound system "may be used with permission, subject to the standard restrictions," those restrictions are as follows:

1. The sound system may be used only during the hours of 12 - 1 p.m. and 5 - 7 p.m. Monday through Thursday; 12 - 1 p.m. and 5 - 11 p.m. Friday; 12 - 11 p.m. Saturday; and 12 - 7 p.m. Sunday (unless other hours are specified for a particular space).
2. Such use must not interfere with adjacent university operations.
3. Volume must be limited so as to cover only the reserved space.
4. The executive director of Baker university center or his or her designee (including officers of the Ohio university police department) will have sole discretion in determining the overall volume level of the sound system.

## **3. Fees and charges**

There are no usage fees for the use of outdoor space by affiliated individuals. Charges will be assessed to the individuals, student organization or department if damages occur to the space or clean-up of the space is necessary. Additional charges will also be billed for the use of equipment, tables, chairs, etc.

Usage fees do apply to all unaffiliated individuals making reservations for space. See the event services website for a listing of applicable fees.

## **4. Location-specific provisions**

### **1. Alumni gateway table space**

The alumni gateway (also known as the campus gate) is the brick and stone archway at the corner of Court and Union streets. Table space is on the concrete walkway, in front of the bushes on either side of the archway, but not blocking the center archway.

Use of the alumni gateway is restricted to activities that are small in nature and will not disrupt the flow of pedestrian traffic.

Space may be reserved for up to three consecutive days and for no more than nine (9) total days per term per organization. This space is not available for use by individuals or groups not affiliated with Ohio university.

A maximum of two activities are permitted at any one time.

At no time shall passersby be verbally harassed, involuntarily stopped, or deterred.

No sound system is permitted.



No signs, equipment, or other items may be taped or otherwise attached to gate, bushes, trees, light poles, or permanent signs.

## **2. Alumni gateway banner space**

The alumni gateway (also known as the campus gate) is the brick and stone archway at the corner of Court and Union streets. Two spaces are available for banners, one located on either side of the central archway.

Those desiring to display a banner at the alumni gateway should review the guidelines for use of that space and then apply to the Baker university center administration office using the [outdoor space reservation request form](#). The information provided on the form must specify the following:

1. Dates requested.
2. Organization sponsoring the event.
3. Name, address, phone number, and email address of a contact person.

Reservations will be taken on a first-come, first-served basis. Reservations of individuals or groups may be moved to accommodate official university functions. Banner space may be reserved for no more than three consecutive days and no more than nine days per term by any one organization. Banners can be no larger than thirty-six inches high and forty-eight inches wide. Blank banners can be obtained from the event services reservation office. Banners must be received by the Baker center information desk no later than 8:00 am of the day of the reservation. Baker center staff will hang banners as soon as possible. Nothing may be otherwise fastened to the gate, bushes, light poles, or permanent signs. This space is not available for use by individuals or groups not affiliated with Ohio university.

Banners identifying a particular political candidate, party, or side of a ballot issue may not be displayed at this site. This includes student, local, state, and national elections. General statements encouraging participation in elections are permitted.

Banners that do not meet the requirements of this policy or that violate state or federal law are subject to removal.

## **3. Aquatic center picnic grove**

The aquatic center picnic grove comprises the grassy area bounded by Oxbow drive, the aquatic center, the aquatic center service driveway, and parking lot one hundred thirty-four.

Use of the aquatic center picnic grove is restricted to activities that will not interfere with adjacent classroom, recreation, and office activity. Nothing may be attached to trees, bushes, benches, light poles, or permanent signs.

A sound system may be used with permission, subject to the standard restrictions, stated in Subsection [\(D\)\(2\)](#), above.

#### **4. Baker university center first floor entrance**

The Baker university first floor entrance is accessible from Oxbow drive and adjacent to Bird arena and Grover hall. The space is between entry ways, but not blocking any entrance to the building. Use of Baker university center first floor entrance is restricted to activities that are small in nature and will not disrupt the flow of pedestrian traffic.

Space may be reserved for up to three consecutive days and for no more than nine total days per term per organization.

A maximum of one activity is permitted at any one time.

At no time shall passersby be verbally harassed, involuntarily stopped, or deterred.

No sound system is permitted.

No signs, equipment, or other items may be taped or otherwise attached to gate, bushes, trees, light poles, or permanent signs.

#### **5. Baker university center fourth floor entrance**

The Baker university center fourth floor entrance is located at the intersection of Park place and Court street. The space is to the right of the main entrance on the Mulberry street side, but not blocking any entrance to the building.

Use of Baker university center fourth floor entrance is restricted to activities that are small in nature and will not disrupt the flow of pedestrian traffic.

Space may be reserved for up to three consecutive days and for no more than nine total days per term per organization.

No sound system is permitted.

No signs, equipment, or other items may be taped or otherwise attached to gate, bushes, trees, light poles, or permanent signs.

#### **6. Baker university center fourth floor table spaces**

Five Baker university center fourth floor table spaces are located at the intersection of Park place and Court street. The spaces are to the left of the main entrance of Baker university center on the front room side, but not blocking any entrance to the building.

Use of each of the Baker university center fourth floor table spaces is restricted to activities that can occur at a single table of maximum thirty inches by seventy-two inches (provided by the center) and that will not disrupt the flow of pedestrian traffic. No more than three individuals may staff a table at any one time.

Spaces may be reserved for up to three consecutive days and for no more than nine total days per term per organization. At no time shall passersby be verbally harassed, involuntarily stopped, or deterred.

No sound system is permitted.

No signs, equipment, or other items may be taped or otherwise attached to gate, bushes, trees, light poles, or permanent signs.

## **7. College green**

This space is defined as the walkway area directly in front of Cutler hall and the adjacent grassy area that falls within the triangle formed by the two closest brick walkways.

Nothing may be attached to trees, bushes, benches, light poles, or permanent signs.

Reservations for this space cannot interfere with the daily business that is conducted in Cutler hall. Therefore, no reservation can be made Monday-Friday between the hours of 8am and 5pm.

A sound system may be used with permission, subject to the standard restrictions, stated in part [\(D\)\(2\)](#), above.

## **8. Emeriti park**

Emeriti park is the space bounded by Oxbow drive, S. Green drive, the lower grounds maintenance building lot, and the pond at the center of Emeriti park.

Use of Emeriti park is restricted to activities that will not interfere with adjacent classroom and office activity.

No vehicles or heavy equipment are permitted on this site.

Activities shall not impede pedestrian traffic.

Nothing may be attached to trees, bushes, benches, light poles, or permanent signs.

A sound system may be used with permission, subject to the standard restrictions, stated in part [\(D\)\(2\)](#), above.

## **9. Emeriti park overlook**

Emeriti park overlook comprises the concrete and brick covered patio, overlooking the pond, at the north end of Emeriti park.

Use of Emeriti park overlook is restricted to activities that will not interfere with adjacent classroom and office activity.

No vehicles or heavy equipment are permitted on this site.

Activities shall not impede pedestrian traffic.

Nothing may be attached to trees, bushes, benches, light poles, or permanent signs.

A sound system may be used with permission, subject to the standard restrictions, stated in part [\(D\)\(2\)](#), above.

## **10. Howard park program space**

The Howard park (also known as Howard hall site) program space comprises the grassy portions of the open space at the northeast corner of E. Union and College streets.

Use of Howard park is restricted to activities that will not interfere with adjacent residence hall, classroom, and office activity.

No vehicles or heavy equipment are permitted on this site.

Activities shall not impede pedestrian traffic.

Nothing may be attached to bushes, trees, brick walls, light poles, or permanent signs.

A sound system may be used with permission, subject to the standard restrictions, stated in part [\(D\)\(2\)](#), above.

## **11. Howard park table space**

The Howard park (also known as Howard hall site) table space is the brick-covered space at the southwest corner of the lot at the northeast corner of E. Union and College streets, in front of the low brick wall and adjacent to the public sidewalk.

Use of Howard park table space is restricted to activities that will not interfere with adjacent residence hall, classroom and office activity.

Space may be reserved for up to three consecutive days and for no more than nine total days per term per organization.

Activities are restricted to the small brick area at the corner of College and Union streets and shall not impede pedestrian traffic.

Nothing may be attached to bushes, trees, brick walls, light poles, or permanent signs.

No sound system is permitted.

## **12. Lindley park**

Lindley park is the space bounded by Lindley hall, the alley on the east side of Bentley hall, and the public sidewalks on the north and east sides of the park.

Use of Lindley park is restricted to activities that will not interfere with adjacent classroom and office activity.

No vehicles or heavy equipment are permitted on this site.

Activities shall not impede pedestrian traffic.

No sound system is permitted.

Nothing may be attached to trees, bushes, benches, light poles, or permanent signs.

## **13. McCracken basketball courts**

McCracken basketball courts comprise the paved courts behind McCracken hall.

Use of McCracken basketball courts is restricted to activities that will not interfere with adjacent residence hall, classroom, and office activity.

Priority scheduling of McCracken Basketball Courts shall be provided to campus recreation.

No vehicles or heavy equipment are permitted on this site.

Activities shall not impede pedestrian traffic.

Nothing may be attached to bushes, trees, brick walls, light poles, or permanent signs.

A sound system may be used with permission, subject to the standard restrictions, stated in part [\(D\)\(2\)](#), above.

#### **14. McCracken field**

McCracken field comprises the grassy area north of (behind) McCracken hall, bounded by parking lot forty-one, the sculpture studio, parking lot forty-three, and the paved set of basketball courts.

Use of McCracken field is restricted to activities that will not interfere with adjacent classroom and office activity.

Nothing may be attached to trees, bushes, benches, light poles, or permanent signs.

A sound system may be used with permission, subject to the standard restrictions, stated in part [\(D\)\(2\)](#), above.

#### **15. Morton field**

Morton field (also known as south green field) comprises the grassy area bounded by N. McKinley avenue, E. Mulberry street, Stewart street, and Race street. It sits between Morton and Crawford hall, in front of the "front four" residence halls.

Use of Morton field is restricted to activities that will not interfere with adjacent residence hall, classroom, and office activity.

Nothing may be attached to trees, bushes, benches, light poles, or permanent signs.

A sound system may be used with permission, subject to the standard restrictions, stated in part [\(D\)\(2\)](#), above.

#### **16. Oasis lot**

The Oasis lot is defined as the grassy area on university terrace, immediately opposite the east end of Park place. The Oasis lot is adjacent to private property, which consists of the Church of the Good Shepherd, a private residence (the rectory) that houses the church's rector, and a parking lot that is in use throughout the day and evening. The ability of organizers to use the Oasis lot is contingent upon ensuring that none of the activities of the church are hindered; that church property is respected; that the peace, quiet, and safety of the occupants of the rectory are preserved; and that ingress and egress is maintained at all times in order to provide access to church property for emergency vehicles and users of the parking lot.

The oasis lot is the only outdoor space on campus in which recreational tents may be pitched. A group seeking to pitch tents must first obtain approval from the vice president for student affairs or designee. The group is responsible for coordinating with the facilities management department to ensure underground utilities and other hidden hazards are identified and considered when placing the tents.

A sound system may be used with permission, subject to the standard restrictions, stated in part [\(D\)\(2\)](#), above.

## **17. Ridges auditorium lawn**

The Ridges auditorium lawn comprises the grassy area bounded by N. Ridge drive, east circle drive, and parking lots two hundred and two hundred one.

Use of Ridges auditorium lawn is restricted to activities that will not interfere with adjacent Ridges Auditorium, classroom, and office activity.

Nothing may be attached to trees, bushes, benches, light poles, or permanent signs.

A sound system may be used with permission, subject to the standard restrictions, stated in part [\(D\)\(2\)](#), above.

## **18. South green amphitheater**

South green amphitheater comprises the concrete "stage" south of Nelson dining hall, in the corner of the area bounded by new south green residence halls, and the adjacent grassy area.

Use of south green amphitheater is restricted to activities that will not interfere with adjacent residence hall activity.

Priority scheduling of south green amphitheater shall be provided to south green residence life.

Nothing may be attached to trees, bushes, benches, light poles, or permanent signs.

A sound system may be used with permission, subject to the standard restrictions, stated in part [\(D\)\(2\)](#), above.

## **19. South green basketball courts**

South green basketball courts comprise the courts in the grassy area bounded by North McKinley ave., East Mulberry street, Stewart street, and Race street.

Use of south green basketball courts is restricted to activities that will not interfere with adjacent residence hall activity.

Priority scheduling of south green basketball courts shall be provided to (in order):

1. campus recreation

2. south green residence life

No vehicles or heavy equipment are permitted on this site.

Activities shall not impede pedestrian traffic.

Nothing may be attached to bushes, trees, brick walls, or light poles.

A sound system may be used with permission, subject to the standard restrictions, stated in part [\(D\)\(2\)](#), above.

## **20. South green volleyball courts**

South green volleyball courts comprise the sand courts in the grassy area bounded by North McKinley ave., East Mulberry street, Stewart street, and Race street.

Use of South green volleyball courts is restricted to activities that will not interfere with adjacent residence hall activity.

Priority scheduling of South green volleyball courts shall be provided to (in order):

1. campus recreation
2. south green residence life

No vehicles or heavy equipment are permitted on this site.

Activities shall not impede pedestrian traffic.

Nothing may be attached to trees, bushes, benches, light poles, or permanent signs.

A sound system may be used with permission, subject to the standard restrictions, stated in part [\(D\)\(2\)](#), above.

## **21. Stocker picnic grove**

Stocker picnic grove comprises the grassy area across the street from the northwest side of Stocker center bounded by Oxbow trail, Parking Lot one hundred ten, and the Oxbow creek.

Use of Stocker picnic grove is restricted to activities that will not interfere with adjacent residence hall, office, or classroom activity. Priority scheduling of Stocker picnic grove shall be provided to the Russ college of engineering and technology.

No vehicles or heavy equipment are permitted on this site.

Activities shall not impede pedestrian traffic.



Nothing may be attached to trees, bushes, benches, light poles, or permanent signs.

A sound system may be used with permission, subject to the standard restrictions, stated in part [\(D\)\(2\)](#), above.

## **22. Tailgreat park**

Tailgreat park comprises the grassy area bounded by the Hocking Adena bike path, Richland avenue, S. Shafer street, and the former visitors center (Bingham house) and parking lot.

Use of Tailgreat park is restricted to activities that will not interfere with adjacent office activity.

Priority scheduling of Tailgreat park shall be provided to intercollegiate athletics (for pre-football game activities).

Nothing may be attached to trees, bushes, benches, light poles, or permanent signs.

A sound system may be used with permission, subject to the standard restrictions, stated in part [\(D\)\(2\)](#), above.

## **23. Walter hall lawn**

Walter hall lawn (also known as bicentennial park) comprises the grassy area bounded by sidewalks adjacent to the west side of Walter hall.

Use of Walter hall lawn is restricted to activities that will not interfere with adjacent classroom and office activity.

Nothing may be attached to trees, bushes, benches, light poles, or permanent signs.

A sound system may be used with permission, subject to the standard restrictions, stated in part [\(D\)\(2\)](#), above.

## **24. West portico of Templeton-Blackburn alumni memorial auditorium**

This space is defined as the concrete-covered portico and walkway area directly west of Templeton-Blackburn alumni memorial auditorium and the adjacent grassy area that falls within the triangle formed by the two closest brick walkways.

Nothing may be attached to trees, bushes, benches, light poles, or permanent signs.

A banner related to an event at this site may be temporarily affixed to the wall of the west portico during the time of the event.

A sound system may be used with permission, subject to the standard restrictions, stated in part [\(D\)\(2\)](#), above.

Use of the west portico by persons or groups affiliated or not affiliated with Ohio university is restricted to activities that will not interfere with adjacent auditorium, classroom, and office activity and are consistent with the nature of the college green.

## **25. Wilhelm amphitheater**

Wilhelm amphitheater comprises the brick-covered portico on the north side of Scripps hall and the adjacent grassy amphitheatre seating area.

Use of Wilhelm amphitheater is restricted to activities that will not interfere with adjacent library, classroom, and office activity.

Nothing may be attached to trees, bushes, benches, light poles, or permanent signs.

A sound system may be used with permission, subject to the standard restrictions, stated in part [\(D\)\(2\)](#), above.

## **26. Wolfe garden**

Wolfe garden is the park-like area enclosed by the low stone wall and located between Cutler hall and Alden library.

Due to its proximity to Cutler hall, Alden library, and academic buildings, the availability of this space is limited to activities which would not generate noise above conversational level.

Nothing may be attached to trees, bushes, benches, light poles, or permanent signs.

No sound system is permitted.

## **Reviewers**

Proposed revisions of this policy should be reviewed by:

1. Executive Director of Baker University Center
2. Ohio University Chief of Police
3. General Counsel

4. Faculty Senate
5. Student Senate
6. Graduate Student Senate
7. Administrative Senate
8. Classified Senate

## Forms, References, and History

### 1. Forms

The following forms are specific to this policy:

1. The "Outdoor Space Reservation Request Form" is available through the Baker University Center Administration Office.
2. The "Application to sell or use Alcoholic Beverages at Ohio University" form is available through the Baker University Center Administration Office.

### 2. References

The following items are relevant to this policy:

1. Policy [01.025](#), "Use of Ohio University Facilities."
2. Policy [23.050](#), "Posting of Material for Advertisement or Notification."
3. Policy [24.001](#), "Alcoholic Beverages on University Property and in Fraternity and Sorority Houses."
4. Policy [24.002](#), "Baker University Center Advertising and Announcements."
5. Policy [24.005](#), "Baker University Center Solicitation."
6. Policy [24.020](#), "Use of Templeton-Blackburn Alumni Memorial Auditorium."
7. Policy [42.550](#), "Solicitation."
8. Policy [47.010](#), "On Campus Temporary Food Service Practices."
9. Policy [47.015](#), "Catering."
10. Policy [51.001](#), "Deposits of Funds."

### 3. History

Draft versions of this policy that were circulated for review, their cover memos, their forms, and Reviewers' comments on them are available on the password-protected Review site, at <https://www.ohio.edu/policy2/24-016/>.

Prior versions of this policy were approved on:

1. May 8, 2012
2. March 26, 2008
3. June 30, 2006
4. October 28, 2002

5. December 5, 2001
6. March 4, 1987
7. July 1, 1978
8. October 31, 1969

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## Appendix C

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**See attached Powerpoint Presentation**

## Appendix D

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### Resolution to Change Grade Appeals Language in Faculty Handbook

Educational Policy and Student Affairs (EPSA) Committee

Faculty Senate

First Reading – September 11, 2017

*Whereas* the current language in the Faculty Handbook does not specify time restrictions to initiate or respond to final grade appeals; and

*Whereas* it is important to process grade appeals in a timely manner to ensure appeals are handled adequately and fairly:

Be it resolved that the language in the Faculty Handbook (Section IV.C.3) be amended to

### 3. Grade Appeals

- a. The instructor assigned to a class has full responsibility for grading, subject to the appeal process described in this section. In unusual circumstances (e.g., death, incapacity, or indefinite inaccessibility of the instructor) the departmental chair is responsible for the final grade, subject to appeal by the student to the dean as described in this section. **Final grade appeals for courses enrolled during the Fall semester must be initiated no later than 30 days from the beginning of the subsequent Spring semester, and final letter grade appeals for courses enrolled during Spring or Summer semester must be initiated no later than 30 days from the beginning of the subsequent Fall semester.**
- b. A student appealing a grade must make a concerted effort to resolve the matter with the instructor of the course. Failing such a resolution, the student may appeal the grade to the department chair. The chair must attempt a resolution acceptable to both the student and the instructor but does not have the authority to change the grade. The department chair may enlist departmental grievance procedures to assist in resolving the grade appeal at the departmental level. **The student shall be notified of the departmental decision within 30 days of the initial appeal.** ~~If the resolution at the departmental level is unsuccessful within the semester following submission of the grade and the student wishes to appeal,~~ **If the student wishes to appeal the departmental decision,** the chair shall forward the appeal to the dean of the college **within 10 days** for action. If the chair is the instructor, the student appeals directly

to the dean. In all cases, the appeals process should be completed within 70 days (excluding summers) of the initial appeal.

- c. In cases not involving academic misconduct, the burden of proof for a grade change is on the student. If the dean concludes that the student has insufficient grounds for an appeal, there can be no further appeal by the student. The dean has 15 days from the time of receiving the appeal to decide whether the appeal has sufficient grounds or not and to notify the student of her/his decision. If the dean concludes that sufficient grounds do exist for an appeal, the dean shall appoint a faculty committee of five members to consider the case. The committee shall have 15 days from the time of receiving the appeal to reach a decision concerning the appeal. If a majority on the committee decide that the grade should be changed and the instructor does not accept the recommendation, the committee can authorize the Registrar to change the grade. The decision of the committee is not subject to further appeal. In appeal cases in which the dean is the instructor, the role of the dean will be assumed by the Provost. In those appeal cases involving courses taught by faculty from more than one college, the Dean of University College will review the appeal and, if necessary, appoint the appeals committee.
- d. In cases of academic misconduct, both the student and ~~teacher~~ instructor must document their allegations and refutations in writing, including any supporting material (e.g. copies of the student's work, copies of other materials used but not referenced in the student's work, etc.) relevant to the case. Such written evidence will be reviewed in accordance with the grade appeal process followed by the college or unit.

Ohio University Chapter of the American Association of University Professors (AAUP) **Statement** on Ohio University Interim Policy on Expression (24.014 and 24.016) September 11, 2017

The Ohio University Chapter of the American Association of University Professors expresses serious concern with the recently announced interim regulations 24.014 and 24.016 governing the exercise of speech and assembly in university buildings and in outside areas on campus. Although these new rules do not prima facie violate principles of academic freedom they nevertheless impose undue restrictions on the capacity of students and faculty to express themselves freely. The public speech and protest of students and faculty are central to the mission of universities to cultivate the values and practices of democratic citizenship. They are also critical to instigating institutional change in situations of injustice. As a university we need to ensure the maximum capacity for free expression, including public assembly and protest, while guaranteeing such actions do not impinge on the rights of others to speak or protest in public and to be secured against physical harm.

The interim policy that has been enacted fails this test of ensuring maximal expression. It is too broad in its prohibitions. For example, it institutes a complete interdiction on any type of protest action—“demonstrations, rallies, public speech-making, picketing, sit-ins, marches, protests, and similar assemblies [...]”—inside university buildings even in cases when the action is non-violent and does not disrupt other ongoing and educational activities. It also bans any action that would “deter” passersby. Yet, public speech and protest aim precisely to challenge passersby and to elicit their reactions. Would this count as deterrence? This process of challenge, verbal or silent, is part of the expression and exchange of ideas and positions. Universities are supposed to be places for robust deliberation on matters essential to a society and to the world as a whole. These new interim policies potentially undermine this important function.



For this reason, we urge the administration of Ohio University, in open deliberation with the wider university community, to review and revise the interim policy on expression. There is a need for reasonable limits on expression primarily to ensure the right of speech and assembly of others and to safeguard the right to security for all—for example, through the prohibition against "fighting words" and hate speech that provokes violence. But, these restrictions must be specific and they must conduce toward the creation of conditions for the maximal expression of speech.

Loren D. Lybarger, President, on behalf of the Executive Committee of the Ohio University AAUP