

*JOURNAL OF THE FACULTY SENATE*

The University of Oklahoma (Norman campus)

Regular session – April 8, 2013 – 3:30 p.m. – Jacobson Faculty Hall, Room 102

office: Jacobson Faculty Hall, Room 206 phone: (405) 325-6789

e-mail: [facsen@ou.edu](mailto:facsen@ou.edu) website: <http://facultysenate.ou.edu/>facebook: <http://www.facebook.com/OUFacultySenate>

*Note: The remarks of the Senators and others are summarized and not verbatim. A recording of this meeting is available in the Faculty Senate office.*

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The Faculty Senate was called to order by Professor Michael Bemben, Chair.

PRESENT: Apanasov, Ayres, Baer, Bemben, Bergey, Bisel, Chang, DePew, Duncan, Ellis, Fagg, Grady, Gramoll, Grasse, Griffith, Hahn, Hewes, Hofford, Keresztesi, Klein, Kutner, Laubach, Leseney, Loon, Lucas, Mackey, McPherson, Minter, Morvant, Nelson, O’Rear, Palmer, Pigott, Raman, Ransom, Refai, Riggs, Schwarzkopf, Snell, Stoltenberg, Strout, Vehik

Provost's office representative: Mergler

ISA representatives: Cook

Also present: Kelvin Droegemeier, Nick Hathaway, Kyle Harper, Anil Gollahalli, Matt Hamilton, Kurt Ockershauser

ABSENT: Burns, Devegowda, Knapp, Kosmopoulou, Kulemeka, Smith, Zhang, Zhu

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***APPROVAL OF JOURNAL***

The Faculty Senate Journal for the regular session of March 11, 2013 was approved.

***ANNOUNCEMENTS***

The Tribute to the Faculty is scheduled for Thursday, April 18, 2013 at 3:00 p.m. in the Sandy Bell Gallery of the Fred Jones Jr. Museum of Art.

The Staff Awards ceremony is scheduled for Tuesday, April 23, 2013 at 11:00 a.m. in the Molly Shi Boren Ballroom of the Oklahoma Memorial Union.

The University Theatre and School of Dance presents Contemporary Dance Oklahoma, exciting, athletic, original choreography by School of Dance faculty Austin Hartel and Derrick Minter, and guest choreographer Donald McKayle set to the music of Duke Ellington, Queen, and Richard Strauss April 5-14, 2013 in the Rupel J. Jones Theatre.

The School of Electrical & Computer Engineering invites you to a retirement reception honoring Dr. John Fagan, who is retiring after 38 years of service. It will be held on Friday, April 12, 2013 from 2:00 to 4:00 p.m. in the ExxonMobil Lawrence G. Rawl Engineering Practice Facility (REPF), Room 200.

The Faculty Senate Executive Committee approved the members of the new Arts & Humanities Faculty Fellowship Committee.

The regular faculty voted by electronic ballot to approve the proposed reapportionment of the Faculty Senate for 2013-16.

The call for volunteers for the OU Speakers Service will be sent out to all OU faculty members later this week. Please consider volunteering and encourage your colleagues to as well. More information about the OU Speakers Service can be found online at <http://facultysenate.ou.edu/speakers.htm> or by contacting the Faculty Senate office at 325-6789.

The Faculty Senate has a new website address, <http://facultysenate.ou.edu/>. The previous links will still point to the site, but this new address should be easier to remember and share. The Senate also has a new Facebook page. The Senate's email address is [facsen@ou.edu](mailto:facsen@ou.edu).

***REVISIONS TO THE FACULTY APPEALS PROCESS***

Prof. Bembem stated that there were a few minor changes to the draft process and he invited Mr. Anil Gollahalli and Kurt Ockershauser to address any questions about those changes. (attached).

Prof. Kutner asked if the process would be different when the administration seeks severe vs. non-severe sanctions, specifically would the time for the adjudication of the case by the Faculty Appeals Board (FAB) differ, and would the burden of proof be any less when the administration seeks severe sanctions for misconduct that violates the discrimination or harassment policy. Mr. Gollahalli stated that OU is using the Department of Education's Office of Civil Rights' "Dear Colleague" letter as their guide. (<http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201104.html>). The current draft process retreats a bit from the previous modifications and adds more flexibility. It states that 60 days is what is standard, but that the FAB chair has the right to modify the timeline and procedures. With respect to the burden of proof, there is a modification, not a substantive change. The difference is that in Civil Rights cases, the victim has a role in the process.

Prof. Kutner further expressed concern that that the procedures of Title IX and the Office of Civil Rights are being tied into the process to discipline faculty. Mr. Gollahalli stated that the university is required to ameliorate the situation quickly. Because we cannot predict every situation that could occur, the timeline is set strictly, and then the FAB Chair is given the flexibility to modify it. Prof. Kutner stated that OU is

going beyond what is required. Mr. Gollahalli indicated that since there is flux in the law and the timelines, that has been moved to the appendix, so that it can be more easily revised in the future.

Mr. Gollahalli tackled Prof. Gramoll's concern about faculty who are not appointed in the summer term, which was raised at the March Senate meeting, stating that it is addressed in the revised procedure. Prof. Gramoll's perception is that faculty that do not have a summer appointment can notify the FAB.

There was no further discussion, and the recommendation was approved by a unanimous voice vote.

***REMARKS BY NICK HATHAWAY, VICE PRESIDENT FOR FINANCE AND ADMINISTRATION***

Prof. Bembien introduced Nick Hathaway, OU's Vice President for Finance and Administration. He stated that it is difficult to look forward at the university budget since we have little control over the two main revenue streams, state appropriations and tuition, both of which are subject to political forces. However, the President's budget priorities include a faculty and staff salary program as well as addressing salary compression among faculty.

VP Hathaway continued that one area OU is addressing to strengthen its financial position is utilities. OU has been updating and upgrading both residential halls and academic buildings, resulting in a saving of \$1.5 million per year. OU has contracted with Corix to providing expert advice in this area as well as perform the work. Since much of that savings is long-term, it will help OU weather economic fluctuations. The net present value of the savings of that transaction are estimated to be between \$38 million and \$66 million over the life of the contract. As we move forward, water will increasingly be an issue and we have eliminated trays in the cafeteria and installed more efficient dishwashers in food service, saving over 1.1 million gallons of water per year.

However, the largest part of our budget by far is employee salaries and benefits. We have had a hiring freeze in place for several years, and if you exclude custodial and public safety personnel, staff costs have been flat since 2008. Health insurance typically went up eight percent per year, but more recently it has only increased between two and four percent each year. Part of that is due to our continuing relationship with Blue Cross Blue Shield. He noted that it is stressful for employees to make the changes in their healthcare providers that are required when changing insurance companies.

OU has also focused on debt management. The recession led to low interest rates, thus we refinanced much of our debt, saving \$18 million. Additionally, we are using purchasing strategic sourcing for office and lab products, and data-driven management, which allows more information to go to central admin about OU purchases. Strategic sourcing related to office products and lab products alone has yielded millions in savings, and it is difficult to make improvements in purchasing without the data.

On the revenue side, tuition payments are a significant part of the revenue stream to the University, and we are doing beneficial things to improve revenue in that area. We have improved retention and graduation rates through programs such as the "Sooner Success" program for at-risk students and the "OU Cares" program. There have been improvements in the area of advising since the Provost appointed Joyce Allman to report to her regarding advising. Increased advising resources have had a positive impact on both retention and graduation. VP Hathaway also praised Matt Hamilton and his staff on recruiting. He noted that on a strict revenue position, out-of-state and international students bring in more revenue and that increasing our reputation makes us more attractive to students from outside Oklahoma.

There has also been work on holistic admissions by Nicole Campbell and Doug Gaffin. We are looking at the whole student, and we know more about what leads to student success at OU. With OU's new digital initiative, we are seeing things that will lead to a reduction in student costs, such as the textbook initiative. Thanks to the help of faculty, we are hoping to see a \$300-\$400 reduction in cost to attend OU from the textbook area.

Prof. Grady asked about how much it cost to install the equipment for the utility savings. VP Hathaway stated he would get that information for him. Prof. Grady also asked about the status of University North Park. VP Hathaway said that the OU Foundation bought the land and sold it to a developer. Prof. Grady asked if OU received a revenue stream. VP Hathaway answered that OU currently does not; the benefit is flowing to the OU Foundation.

**REMARKS BY KYLE HARPER, SENIOR VICE PROVOST**

Prof. Bemben introduced Kyle Harper. Prof. Harper addressed changes to the curriculum as well as the digital initiatives. He laid out the present context, both locally and nationally, where OU stands, and some recent changes to OU's first-year Gen Ed experiences in US History and Political Science. Prof. Harper recommended two articles which can be found at:

<http://www.scientificamerican.com/article.cfm?id=massive-open-online-courses-transform-higher-education-and-science> and <http://www.educause.edu/ero/article/challenge-and-change>, as well as a book by Christensen and Eyring, *The Innovative University: Changing the DNA of Higher Education from the Inside Out*.

Prof. Harper reviewed the General Education Requirements of both the State Regents and The University of Oklahoma. As we make changes to our curriculum, they have to meet both the requirements of the OU Regents and the State Regents. He identifies some key bottleneck courses in the OU curriculum for changes as English Composition, PSC 1113, and US History.

Nationally, there is the conjuncture of three trends: rising tuition, public disinvestment in education, and disruptive technology. Locally, there is a focus on degree production and portability; the State Regents have considered the creation of an online general education inventory. Thus, it is important for OU to affirm our strengths and sell what we do well, which are things that cannot be duplicated in an electronic medium, such as interaction with research faculty, active learning and learning communities, our brick-and-mortar resources, and the holistic experience.

Prof. Harper recommended looking at what peer institutions have done recently in terms of curriculum reform. He discussed UT Austin's "Signature Courses", Stanford's "Thinking Matters" and Maryland's "I-Series Courses" and "Fundamental Studies". He stated that most of these schools avoided significant changes to the distribution of courses. Prof. Hofford then stated that Maryland has an emphasis on adult education and wanted to know if this approach is focused on that market. Prof. Harper said that our curriculum changes are geared towards traditional students.

Prof. Harper noted that several Gen-Ed courses account for a large number of credit hours generated each year. Making changes to those few courses can result in the biggest improvements. Recently the U.S. History courses, HIST 1483 and HIST 1493, have adopted a "sage on a stage" style of instruction combined with a signature research project, the use of customized technology and an emphasis on skills and intellectual qualities, making students "producers of knowledge". P SC 1113 "American Federal Government" is also combining the "sage on a stage" with customized technology through the Center for Teaching Excellence (CTE). They also utilize "Democracy Labs" which encourage civic, information, and issue engagement.

Prof. Harper suggested that future conversations would explore the criteria for western, non-western, social science courses, address capstones and undergraduate research, and encourage an increased emphasis on oral communication and writing skills. He then opened the floor for questions.

Prof. Gramoll asked about plans for students taking classes from OU that can then be used as credit at other universities. He stated that he can teach courses electronically, but there is no mechanism to give credit to these students. Prof. Harper deferred to Matt Hamilton who verified that a "special student" could take up to 9 hours at OU, but indicated that there is a process to be admitted as a "special student". Mr. Hamilton suggested that Prof. Gramoll contact him directly to find a solution for his specific

situation. However, Prof. Gramoll countered that he would like to see a university-wide solution. Prof. Harper said that making it easier for students at other universities to take OU courses is something we might want to do that in areas where OU has significant expertise and a distinctive product to offer, such as in meteorology. Prof. Gramoll said that the admission process, even for a “special student”, is a large obstacle. Mr. Hamilton indicated that the admission process is done online and the point is to make sure that students are ready to be in classes at OU.

Prof. Ellis asked about the timeframe on this for faculty and wanted to know if faculty would be the ones to bring the change. Prof. Harper stated that OU already has a broad portfolio of online courses and that the academic standards have to be the same as for in-person courses. In addition, online courses need to meet a specific demand, such as working students. Therefore, on a case-by-case basis, it is up to departments and colleges to see the needs and work with the faculty to meet them.

Prof. Ayres would like to be able to offer blended courses without an additional fee, as she thinks that the fee is a disincentive to offering blended courses. Prof. Hofford stated that the workload for faculty in an online course could be more than for an in-person class and wanted to know what the incentive is to faculty to offer online courses. Prof. Harper agreed that online courses can be a lot of work for faculty, but there is no drive to offer massive amounts of online courses. OU is not planning to offer MOOCs (massive open online courses), but places like Coursera (<https://www.coursera.org/>) will, and they will be competing with us.

Prof. Hofford asked if the changes with the Gen-Ed P SC and HIST courses will improve the product for both the faculty and the students. Prof. Harper said the workload for faculty would be carefully taken into account. Prof. Bemben agreed that OU is not intending to offer MOOCs, but our competitors will be, and we have to distinguish ourselves from them. Prof. Harper predicted that students will look for courses outside that are “cheap, easy, or funny”, so OU needs to communicate to students why they will get more out of the OU model. Prof. Nelson added that in some cases, a nationally standardized exam can be used as the final for a course and that this can show that our students are meeting the national standards.

### ***PRELIMINARY NOMINATIONS FOR COMMITTEES***

Prof. Bemben stated that it is a difficult job for the Committee on committees to fit everyone into the committees on which they want to serve. He presented the recommended slate of candidates (attached) and stated that the Senate would vote on the entire slate at the May meeting. Senators who would like to nominate someone from the floor should contact Ed O’Rear, Chair of the Committee on Committees. Prof. O’Rear stated that the committee was pleased with the response of the faculty.

### ***PROPOSED INCOMPLETE ‘I’ GRADE CHANGE POLICY***

Prof. Bemben introduced the proposed change to the Incomplete Grade Policy (attached) and indicated that Matt Hamilton, Vice President for Enrollment and Student Financial Services and Registrar, was present to answer any questions. The intent of the change is to prevent an ‘I’ grade from staying on a student’s transcript indefinitely. Under the proposed policy, at the end of 12 months, an ‘I’ would automatically be converted to a given letter grade, unless it has been already been changed by the instructor. As a part of the “Incomplete contract”, the student would know what the grade would be changed to if they do not complete the course.

Prof. Hofford wanted to verify that anything not done will be assigned a zero and then the grade will be calculated based on those zeros. Prof. DePew asked if this policy would use the existing incomplete contract. VP Hamilton said “Yes” to both concerns. He explained that this issue came up when discussing the new withdrawal policy in terms of whether ‘I’ grades be counted like a ‘W’. Our policy was inconsistent with other universities. Prof. Bergey asked about the effect on reciprocal exchange

students. VP Hamilton said that these students are supposed to be prepared to come into the classroom. However, he agreed that Incompletes could cause problems for international students with visas.

Prof. Bemben said an issue raised in the Senate Executive Committee was what faculty members should do if they are unable to reach a student at the end of the semester to sign an Incomplete Contract. The policy is to assign an “N” until you can arrange the Incomplete Contract. Prof. Hofford and Prof. Gramoll suggested it is the responsibility of the student to contact the faculty member. VP Hamilton stated that faculty could assign an ‘F’ or ‘D’ and then allow the student and contact the faculty member to put an Incomplete Contract in place; faculty are not required to assign an ‘N’. Prof. O’Rear questioned what happens to an ‘N’ grade long-term. VP Hamilton said that Academic Records works continuously to resolve ‘N’ grades, so this is not an issue.

Prof. Strout asked if OU is still asking students to sign an Incomplete Contract. VP Hamilton that we are, as students need to be a party to the contract. Prof. Kutner expressed concern about a pre-determined grade being assigned when a major proportion of course work is remaining and he thought that a permanent ‘I’ was a good solution to this issue. He stated that there are sometimes good reasons for a student not completing a course that does not warrant an ‘F’. VP Hamilton reminded faculty that the current policy states that no more than 30% of the course should be outstanding in order to assign an ‘I’. Thus, the predetermination of a grade assumes that no other work is completed and that at least 70% of the course was completed during the semester. The predetermined grade is not always an ‘F’, but could be a ‘C’ or ‘D’, depending on how much coursework is outstanding.

Prof. Bemben said that any questions can be sent directly to Matt Hamilton or him and that the Senate will vote on the policy change at the May meeting.

### ***SENATE CHAIR'S REPORT, by Prof. Michael Bemben***

“On Wednesday, March 13, Stacey Bedgood, Faculty Senate Administrative Coordinator, and Mike Bemben, Faculty Senate Chair met with Larry Arthur and Angelika Marko from Internal Auditing to finish the audit process and complete the exit interview. They gave us an excellent report and commended the Faculty Senate office for having very complete, accurate, and organized records.

“On Thursday, March 14, there was a meeting of all the Provost-Direct Units on the Norman campus. Progress reports were given from the following individuals:

- Deborah Binkley-Jackson, Director of Project Threshold from Student Support Services;
- Robert Con Davis-Undiano, Executive Director of World Literature Today;
- Glen Krutz, Associate Director of the Carl Albert Congressional Research and Studies Center;
- Helen DeBolt, Director of the Oklahoma Scholar-Leadership Enrichment Program;
- Melanie Davidson, Head of Administration – SNMONH;
- Byron Price, Director of the University of Oklahoma Press;
- Mark Morvant, Executive Director of the Center for Teaching Excellence;
- Michael Bemben, Faculty Senate Chair.

“The Dean’s Council met on Wednesday, March 29, and discussed a number of issues. These issues included the following:

1. North Central Administration format for the next accreditation for OU. OU chose the ‘Open Pathway’ procedure that will begin in about 2½ years.
2. Conflict of Interest return rates for the various Colleges ranged from about 65% to 100%.
3. National Merit Rankings – OU has more National Merit Scholars than any other public institution, is ranked #1 per capita among all public institutions and eighth overall for all public and private institutions with 194 Freshmen National Merit Scholars in 2012.
4. State Question 759 – with reference for any new scholarships that will be established at OU, there is a need to ensure that they are not based on gender, race, or national origin.

- Departments should check with Legal Council on the appropriate wording when accepting funds for scholarships from potential donors.
5. Incomplete 'I' letter grade change policy that will require an actual grade in a year's time that must be agreed to by the student in the contract outlining the requirement to complete the course.

“On Monday, March 25, the Faculty Senate Large Executive Committee met to hear progress reports from the various Council Chairs, the Tulsa Faculty Liaison, and the Senate Standing Committee Chairs. The following reports were presented:

1. Michael Bemben gave the Faculty Senate report;
2. Karen Hayes-Thumann (Academic Programs Council) was not able to attend so Al Schwarzkopf presented the report;
3. Charles Kimball (Athletics Council);
4. Tom Woodfin (Budget Council) was unable to attend;
5. Juanita Vargas (Continuing Education Council);
6. Satish Kumar (Faculty Awards and Honors Council); recommendation to increase number of faculty awards.
7. Al Schwarzkopf (Information technology Council);
8. Paul Spicer (Research Council) was unable to attend but submitted the report in writing;
9. Janette Habashi (Tulsa Faculty Liaison) was unable to attend;
10. Nancy LaGreca (Faculty Compensation Committee);
11. Misha Klein (Faculty Welfare Committee).

“There was a joint meeting of the Executive Committees of the OSU, OU-Norman Campus, and OU-HSC Senates on Wednesday, March 27, at the HSC, which was hosted by OSU. In attendance were:

- From OSU: Ken Bartels – Chair  
 Shelia Kennison – Vice Chair  
 Kemit Grafton – Rules and Procedures Chair  
 Udaya DeSilva – Secretary  
 Stephen Clarke – Retirement and Fringe Benefits Chair  
 Ed Harris – Academic Chair
- From OU-HSC: Kari Boyce – Chair  
 Muayyad Al-Ubaidi – Past-Chair  
 Vicki Coury – Secretary  
 Abbey Onan – Secretary-elect  
 Elizabeth Pace – Administrative Coordinator
- From OU: Michael Bemben – Chair  
 Edgar O’Rear – Chair-elect  
 Stacey Bedgood – Administrative Coordinator

“The topics included:

1. Reappointment, Promotion, and Tenure procedures at OSU and the changes they are proposing
2. Tuition Waivers for graduate students and possible tuition waivers for children of employees
3. Incentivized Phased Retirement program at OSU
4. Faculty Workload issues
5. IT Support and Services at OU-HSC
6. Course management system at OU-HSC

This meeting will be hosted by the OU-Norman Campus Faculty Senate next year.

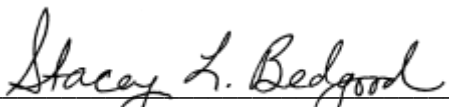
“Finally, on Thursday, April 4, the Faculty Senate Small Executive Committee met with President Boren to discuss three issues.


1. Projected effects of the sequestration at OU – immediate and long term
2. +/- grading options – caveat is that it would not change GPA calculations

3. Recommendation from the Faculty Awards and Honors Council to increase the number of faculty awards presented each year.”

***ADJOURNMENT***

The meeting adjourned at 5:15 p.m. The next regular session of the Faculty Senate will be held at 3:30 p.m. on Monday, May 6, 2013, in Jacobson Faculty Hall, Room102.

  
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Stacey L. Bedgood, Administrative Coordinator

  
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Randall S. Hewes, Faculty Secretary



### 3.8.3

#### **INITIAL PROCEDURES FOR ABROGATION OF TENURE, DISMISSAL BEFORE EXPIRATION OF A TENURE-TRACK APPOINTMENT OR RANKED RENEWABLE TERM APPOINTMENT, AND OTHER SEVERE SANCTIONS<sup>1</sup>**

(A) **Initial Proceedings** Section 3.8.3 pertains to tenured, tenure-track or ranked, renewable term appointment faculty.

(1) **Administrative Review.** When reasons arise to question the fitness of a faculty member whose conduct may warrant the imposition of severe sanctions, the circumstances shall be brought to the attention of the appropriate administrative officer(s) (i.e., Department Chair, Director, Dean, or Senior Vice President and Provost or, as provided in **subsection (2)** below, an Institutional Equity Officer) who shall ordinarily investigate the matter to include, among other things, meeting with the faculty member in person to fully discuss the matter, unless reasonably prevented from doing so. If after investigation, the administrative officer determines the conduct warrants imposition of severe sanctions, he/she shall convey the matter and a recommendation to the President and Senior Vice President and Provost (Provost). However, if after investigation, he/she determines the conduct does not warrant severe sanctions, the matter may be resolved by mutual consent. The faculty member is encouraged to seek the assistance of the University Ombudsperson.

(2) **Institutional Equity Office Matters.** When such concerns involve Civil Rights matters (defined below), if the complaining party has not already reported the matter to the University's Institutional Equity Office (IEO), the appropriate administrative officer shall immediately refer the matter to the IEO for investigation. Upon conclusion of the investigation, the IEO officer shall refer his/her findings and conclusions to the appropriate administrative officer for action in accordance with subsection 3.8.3(A)(1), above.

When the term "civil rights" is referred to in this policy, it refers to matters falling under the Nondiscrimination Policy (e.g. discrimination or harassment based on race, ethnicity, national origin, sex, sexual orientation, genetic information discrimination, color, age, religion, disability, political beliefs, or status as a veteran <http://www.ou.edu/home/eoo.html>), the Sexual Misconduct, Discrimination and Harassment Policy (e.g. discrimination or harassment based on the interference with the enjoyment or the entitlement to an educational, institutional or employment benefit because of gender—<http://www.ou.edu/home/misc.html>), or the Consensual Sexual Relations Policy (e.g. prohibition on persons in positions of authority having intimate relationships with their subordinates or students—<http://www.ou.edu/home/misc.html> (collectively, "Civil Rights").

(3) **Faculty Appeals Board Referral.** If the President decides that there is reason to question the faculty member's fitness or professional behavior as set forth in **Section 3.8.3(A)(1) or (2)**, above, the President shall so inform the Chair of the Faculty Appeals Board, the faculty member and appropriate administrative officers.

(B) **Faculty Appeals Board Preliminary Review.**

(1) **FAB Inquiry.** Other than for Civil Rights matters, the Chair of the Faculty Appeals Board may then conduct or cause to be conducted, additional inquiry/investigation into the matter, as the Chair deems necessary.

(2) **FAB Prehearing.** For all severe sanctions matters coming to the Faculty Appeals Board (FAB), the Chair of the Faculty Appeals Board shall conduct a pre-hearing review (which shall include, other than for Civil Rights claims, the participation of other members of the FAB selected by the Chair) pursuant to informal procedures to be determined by the Chair. The pre-hearing review will, other than for Civil Rights claims, provide the faculty member(s) and a University representative(s) the opportunity to appear and relate their views of the matter. Other than these parties, no witnesses will be heard and although attorneys and/or advisors may be present in an advisory capacity to the parties, they may not otherwise participate in the prehearing. When completed, the FAB Chair shall advise the President whether, in his/her view as a result of the prehearing, formal proceedings for severe sanctions should be instituted.

(C) **Decision Whether to Proceed and Notice.** The President shall consider the FAB Chair recommendation, together with other relevant information, and determine whether or not to move forward with formal severe sanctions proceedings. The President, or the President's designee, shall inform the faculty member(s) in question, the FAB Chair and appropriate administrator of the decision, in writing. If the President's decision is to move forward with a hearing, appropriate administrative officials may assist in composing the complaint. A hearing shall take place as described below in **Section 3.9.1(B)(8)**.

(D) **The Complaint.**

The President or the President's designee shall set forth the complaint against the faculty member with reasonable particularity and shall file the formal written complaint with the FAB within 60 days of the FAB Chair's recommendation.

### **3.9**

#### **FACULTY APPEALS AND GRIEVANCES -- NORMAN CAMPUS**

##### **3.9.1**

##### **FACULTY APPEALS BOARD**

The FAB is a standing body that responds to matters of tenure abrogation, dismissal, other severe sanctions, alleged violations of academic freedom or academic due process, and other grievances unresolved through administrative or informal procedures. Because of the extraordinary importance and the range of such issues, the FAB shall be empowered to appoint ad hoc hearing committees to assist in the conduct of its affairs. The Norman Campus FAB shall consist of 50 members, elected to four-year staggered terms by the Faculty Senate from among all full-time tenured faculty whose duties are primarily non-administrative. The FAB shall elect annually a chair-elect from among those who are in their third year of service. The chair-elect will serve as chair the following year. Membership on the

Board is not disqualification for service on University Councils. All members of the FAB are eligible for re-election. Terms of service shall begin September 1 and end August 31.

**(A) WHO MAY USE PROCEDURE**

(1) **Norman Campus Faculty Community.** The grievance procedures described herein shall be available to any aggrieved party who is a Norman campus faculty member; an academic or administrative unit; or any other duly constituted faculty body within the Norman Campus University community, when the respondent is also a Norman Campus faculty member, academic unit, administrative unit, or other duly constituted faculty body within the Norman Campus University community. Violations covered by this procedure include academic freedom, academic due process, unlawful discrimination, harassment, constitutional due process and other grievances that may occur in the course of performing professional duties or in the process of being considered or evaluated for salary increase, promotion, tenure, or other personnel decisions.

(2) **Faculty Member Complaints Covered by Different Policies.**

(a) **Faculty Grievances against Faculty Administrators.** Faculty grievances against deans, directors and chairs shall follow procedures provided in [Sections 2.8.1\(K\) and 2.8.2\(I\)](#), of the Norman Campus Faculty Handbook.

(b) **Faculty Administrators' Complaints.** Faculty members serving as chairs, directors, deans, or in other administrative positions may not utilize these FAB procedures in filing a grievance when the grievance is based upon actions related to their administrative performance. Provided however:

(i) chairs or directors who are dismissed or relieved of administrative responsibilities before their terms expire, and/or affected faculty members, may appeal such decisions to the Senior Vice President and Provost and if still dissatisfied, to the President; and

(ii) deans who are dismissed, and/or affected faculty members, may appeal such decisions to the President.

(c) **Complaints against Employees and Students.** Faculty complaints against employees who are not faculty members or against students shall be addressed under applicable staff or student procedures.

(3) **Ombudsperson Services.** The University Ombudsperson serves as a resource on University grievance procedures/policies and provides an opportunity for neutral resolution and mediation. Persons having complaints are encouraged to seek informal resolution through regular administrative channels or through mediated resolution with the Ombudsperson. Complaints pursuant to **Section 3.9.1 (B)(1)(c)** unresolved administratively or through the Ombuds service shall be filed with the FAB Chair.

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## (B) COMPLAINT

The term “complaint,” as referred to in this policy, also includes where appropriate, written appeals to the FAB of adverse administrative actions; e.g., imposition of a minor sanction.

### (1) Initial Administrative Review.

Individuals or units having complaints are encouraged to raise them with the appropriate administrative officer, provided:

(a) **Severe Sanctions Cases.** Complaints that may reasonably warrant the imposition of severe sanctions shall follow the initial processes set forth in **Section 3.8.3**, above. In severe sanction cases, the University is the complainant;

(b) **Institutional Equity Office Cases.** Civil Rights matters as defined in **Section 3.8.3(A)(2)** above shall be referred directly to the appropriate IEO officer for investigation, findings and recommended sanctions; i.e., the Sexual Misconduct Officer, Kathleen Smith at (405) 325-2215, or the Equal Opportunity Officer, Shad Satterthwaite at (405) 325-3546, or the Institutional Equity and Title IX Coordinator, Laura Palk at (405) 325-3549. For such claims, the University is the complainant and any hearing shall take place as referred to below in **Section 3.9.1(B)(8)**; and,

(c) **Other Cases.** ~~Complaints that do not involve~~Excluding matters involving severe sanctions, Civil Rights matters, or grievances against deans, directors, chairs and similar academic supervisors under **Section 3.9.1(A)(2)** above, complaints which remain unresolved by or not raised with the appropriate administrative officer, shall be filed with the FAB Chair and the complaining faculty member or unit ~~is will be~~ the complainant. ~~For the procedures regarding faculty grievances against deans, directors, and chairs and similar academic supervisors, refer to Sections 2.8.1(k) and 2.8.2(i) of the Faculty Handbook.~~

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### (2) Timing of Complaint.

(a) **General Filing Time.** Except in Civil Rights and severe sanctions cases or as otherwise specified in Regents policy (e.g., when considering faculty for tenure, faculty may appeal violations within 180 calendar days of the discovery of the violation. See Section 3.7.5(q) of the Faculty Handbook), if a complaint cannot be resolved administratively or through the Ombuds service, generally it must be filed with the FAB within 60 calendar days from the date on which the faculty member, unit, or body knows or reasonably should know of the alleged violation or incident giving rise to a grievance. Provided, 9 month faculty who do not have a University appointment during the summer, may toll the time for filing a grievance or responding to a grievance, from the last classroom day of the spring semester until the first classroom day of the fall semester (or some shorter tolling period as may be agreed to in writing) by providing written notice to the FAB Chair. All other time periods may be extended as may be

provided by applicable policy, ~~or~~ for good cause or as may be agreed to by the parties and approved by the FAB Chair, Hearing Chair, or University Institutional Equity Officers (as appropriate).

(b) **Civil Rights Complaints.** All Civil Rights complaints, as defined in **Section 3.8.3(A)(2)**, should be filed in accordance with the policies and procedures noted in <http://www.ou.edu/eoo.html>. Such complaints generally are considered “filed” when the allegations forming the complaint are provided to a proper institutional representative orally or in writing who, upon being so informed, shall immediately report the complaint to the IEO office.

(c) **Severe Sanctions.** Other than for Civil Rights complaints, if a complaint that may warrant severe sanctions cannot be resolved administratively, it must be filed with the FAB within 60 calendar days following the recommendation of the FAB prehearing described above in **Section 3.8.3(B)(2)**.

### (3) Filing of Complaint

#### (a) The Written Complaint and Response.

(1) With the exception of complaints that may reasonably warrant severe sanctions or include Civil Rights claims, if after the initial investigation, the matter is not resolved with the appropriate administrative officer, the complainant is responsible for stating in writing, and in full particularity, the grounds upon which the alleged grievance is based, which then shall be filed with the FAB Chair. The grounds for the alleged grievance may not be changed after the filing of the complaint. The Ombudsperson may assist the parties in resolving the grievance.

Upon receipt of the written complaint, the FAB Chair shall provide the respondent a copy of the complaint and may conduct or cause to be conducted, additional investigation into the matter, as the Chair deems necessary and an informal pre-hearing as provided below. The respondent shall generally have 30 calendar days to provide the FAB Chair and complainant a written response to the complaint.

(2) Where more than one complaint is present (e.g., sexual harassment and violation of due process), the complainant must specify all the grounds of the grievance of which the complainant should have reasonably known at the time of filing the complaint. For mixed issues involving Civil Rights and non-Civil Rights matters, the IEO will forward its findings and recommendations to the appropriate academic administrative officer for consideration in his/her review, resolution, or recommendation. A grievance with multiple grounds shall be heard by one hearing committee, which shall hear all aspects of a particular

grievance; provided, the Institutional Equity Office shall investigate the Civil Rights claims in all cases.

**(b) Institutional Equity Office Complaints.**

(1) The complaints may be either written or verbal and the [original complaining individual and the charged](#) faculty member ([respondent](#)) shall follow IEO policies and procedures through completion of the investigation. See <http://www.ou.edu/eoo>. The respondent may appeal sanctions and findings to the FAB, in which cases, the hearing process noted in **Section 3.9.1(B)(8)(a)** shall be followed. If dissatisfied with the IEO outcome, the original complaining individual may request reconsideration by the IEO Officer.

(2) Where the appropriate IEO officer determines that a faculty member's fitness or professional behavior warrants initiation of severe sanctions proceedings, the IEO officer shall so inform the Senior Vice President and Provost and the President who may file a complaint against the faculty member with the FAB and proceed as provided in **Section 3.8.3(C)**.

**(4) Informal FAB Prehearing.**

Cases involving severe sanctions shall follow procedures in **Section 3.8.3**, above. Otherwise, within a reasonable time, following receipt of the written [Response](#), the FAB Chair shall conduct a pre-hearing pursuant to informal procedures to be determined by the Chair, which shall include the assistance or participation of other members of the FAB. The pre-hearing will provide the parties the opportunity to appear and relate their views of the matter. Other than the parties, no witnesses will be heard and although attorneys and/or advisors may be present in an advisory capacity to the parties at the prehearing, they may not directly address the prehearing panel. Provided however, in matters that involve Civil Rights claims, the investigating IEO officer will also present his/her findings. If the FAB prehearing panel determines no further hearing is warranted, the matter is administratively ended within the University; otherwise the matter shall proceed as set forth below. In either case, the FAB Chair shall promptly so inform the parties and appropriate administrative officers.

**(5) Withdrawal of Complaint.**

The complainant may withdraw the complaint at any point prior to the adjournment of the formal hearing by notifying in writing the party with whom the complaint was originally filed. Once withdrawn, the same complaint may not be resubmitted under any grievance procedure.

**(6) Confidentiality of Proceedings and Records.**

University employees who investigate or hear matters shall preserve confidentiality with respect to any matter investigated or heard under this policy. Parties and witnesses also are admonished to maintain confidentiality with regard to these proceedings.

Except for those cases in which grievances go to a hearing and as otherwise required by law, all records of administrative investigation with regard to Civil Rights matters shall be transmitted to and maintained by the University Institutional Equity Office as confidential records. All records of administrative investigation for other grievances will be held by the administrator involved as confidential records except as otherwise required by law.

**(7) Selection of Hearing Committee.**

If, following the FAB prehearing, the decision is made to proceed with a hearing, normally the FAB Chair will immediately notify the parties and provide them with a current roster of the FAB members, less members who served on the prehearing panel in the matter. Provided however, in severe sanctions cases, the FAB Chair shall provide the parties with the roster immediately after the formal written complaint is filed. In Civil Rights cases, the roster will include only those members of the FAB with special training in hearing Civil Rights matters. The Hearing Committee will be selected as follows:

(a) Unless modified by the FAB Chair, as provided by **Section 3.9.1(B)(8)(a)**, the complainant and respondent, or their authorized designees, shall each select three names from the FAB roster within 10 classroom days (any weekday on which regularly scheduled classes or regularly scheduled final examinations are held at the University) of receipt of the roster. If there are multiple respondents who cannot agree or if a party fails to respond, the FAB Chair may request the Faculty Senate Chair to select the remaining Hearing Committee members by lot.

(b) When the composition of the initial six panel members is finally set, those members shall select a seventh name from the previously referenced FAB roster within 10 classroom days to serve as chair of the Hearing Committee.

(c) Any member of the FAB selected to serve on a Hearing Committee who is a member of the same academic unit or related within the third degree of sanguinity or affinity to the respondent or the complainant or who is biased or has a personal interest in the outcome of the case shall be disqualified from serving on the Hearing Committee.

(d) The complainant and the respondent may each request of the FAB Chair that a member or members of the Hearing Committee be disqualified and removed from the Hearing Committee. The Chair, former Chair, and Chair-elect of the FAB shall decide by majority vote whether cause has been shown. The Chair of the Faculty Senate shall substitute if one of the above is unavailable.

(e) A member of the Hearing Committee may disqualify himself or herself on personal initiative or in response to such challenge for cause as is provided for in the immediately preceding paragraph.

(f) Prior to the commencement of the formal hearing, members of a Hearing Committee who have been disqualified, whose terms have expired, who have ceased to be full-time members of the faculty and any members who, by reason of illness or absence from campus, are unable to serve, shall be replaced immediately by the FAB Chair. The replacement shall be determined by the procedures herein, with replacements being selected by the party whose initial selection was eliminated, or by the Hearing Committee if the Hearing Committee Chair is the member being replaced.

(g) After the commencement of the hearing if cause arises to disqualify a member of the Hearing Committee or if a member otherwise becomes unable to serve, with the advice of University Legal Counsel the Hearing Committee Chair, or the FAB Chair if the absent member is the Chair of the Hearing Committee, will determine whether the member should be replaced or if the hearing shall continue without a replacement. If replacement is deemed necessary, the replacement shall be determined by the procedures herein, with replacements being selected by the party whose initial selection was eliminated, or by the Hearing Committee if the Hearing Committee Chair is the member being replaced. No members of the FAB may be eligible for selection for a hearing committee if they currently are serving on another ongoing hearing.

**(8) FAB Formal Hearing Process.**

(a) **Civil Rights Complaints.** In Civil Rights cases appealed to the FAB, the policies and procedures governing Civil Rights complaints and any hearings or appeals hereunder shall be conducted in conformance with the requirements of federal and state law. The FAB Chair, with the assistance of Legal Counsel, shall have the authority to modify FAB proceedings and procedures where necessary to comply with applicable law and federal agency administrative guidance (e.g., accelerate the timing since by federal law the matter generally must be administratively concluded within the University no later than sixty (60) days following receipt of the original complaint). Appendix A may be used as a general guideline for modifying procedures in such cases with the understanding that any procedures required by applicable law shall be incorporated into the hearing process.

(b) **Non Civil Rights Complaints.** All complaints other than Civil Rights complaints brought to a formal hearing shall be handled according to the following procedures:

(1) Within 20 classroom days of receipt of respondent's written response to the complaint, the complainant shall provide the respondent and the Chair of the Hearing Committee:



(a) Relevant University rules or policies involved.

(b) A summary of the evidence upon which the charges or complaints are based and an initial list of complainant's witnesses.

(2) Respondent's Reply. The respondent shall review the materials submitted by the complainant and provide a written reply within 10 classroom days of delivery. The reply shall summarize the evidence to be used in refutation of the charges and shall include an initial list of respondent's witnesses.

(3) Set Hearing. The Hearing Committee shall normally set the date of the hearing to occur within 30 calendar days after the deadline for the respondent's reply.

(c) **Adviser/Counsel.** At the party's expense, any party, whether complainant or respondent, may select a person to act as adviser or may select an attorney for advice on legal matters. At his or her discretion, the party may be assisted by both an adviser and an attorney.

(1) Both the complainant and respondent shall inform the Chair of the Hearing Committee in writing of the identity of any adviser and/or attorney as soon as known but in no event later than 10 classroom days prior to the hearing.

(2) The following procedure assumes that a faculty member will use his or her own judgment in acting upon any advice or deciding when to be represented by an attorney.

(d) **University Legal Counsel.** University Legal Counsel will provide legal advice to the Hearing Committee and parties on matters of procedure and as otherwise requested and appropriate. In situations in which different attorneys within the Office of Legal Counsel are involved in advising the Hearing Committee and one or more parties, the attorneys shall not confer with respect to the advice given to their clients, separately discuss the matters at issue, share information about the case or collaborate with one another outside of the process prescribed herein for all parties and determinations. In conformance with the Oklahoma Governmental Tort Claims Act and contractual directives of existing policies of insurance, covered claims that arise against the Hearing Committee or any one or more of its members will be defended by the University.

(e) **Hearing Preparation.** The University maintains a guideline that contains supplemental procedures assisting the operation and administration of a FAB hearing (Book of Procedural Guidelines), a copy of which shall be available to each party. The Chair of the Hearing Committee and Legal Counsel shall confer regarding any modifications to the Guidelines reasonably necessary to account for special

circumstances. The Hearing Committee Chair shall provide the parties with any such supplemental guidelines.

(f) **Hearing on the Record.** If the respondent fails to cooperate with the Hearing Committee or defaults at the hearing stage, the Hearing Committee will evaluate all available evidence provided by the parties and base its recommendation upon the relevant evidence in the record. If the complainant fails to cooperate with the Hearing Committee or defaults at the hearing stage, the Chair of the Hearing Committee may cancel the Hearing and recommend dismissal of the complaint.

(g) **Hearing Regulations.** The FAB process is a lay process relying on peer review. The intent of this process is to avoid excessive legalism in deference to the common sense, sound judgment, good character, and sense of fairness of each Hearing Panel. The process should strive to diminish formality and rigidity and avoid emulation of a trial in a courtroom. The purpose for a system of internal review is to effect a just and fair disposition of a grievance.

The following regulations shall apply to the hearing:

(1) Both complainant and respondent shall have the right to be present and be accompanied by their adviser, attorney, or both, throughout the hearing. The Hearing Committee also shall have the right to have its legal adviser present throughout the hearing. Attorneys may be present to advise witnesses; however, in no case will the attorney representing a witness participate in the case. Attorneys should facilitate and not control the process.

(2) The hearing shall be closed unless all parties in the case agree that it be open.

(3) The Hearing Committee shall proceed by considering the statement of grounds for grievances already formulated and the response written before the time of the hearing. If any facts are in dispute, the testimony of witnesses and other evidence concerning the matter shall be received.

(4) Both parties or their advisers or attorneys shall have the right to present, examine, and cross-examine witnesses. Provided, however, where the matter involves sexual misconduct or sexual harassment claims, no party may directly cross-examine the other. Rather, the party may submit questions to the panel for the panel to inquire or the advisors/attorneys may conduct the cross-examination.

(5) The President's Office shall make available to the Hearing Committee Chair such authority as it possesses to require the presence of witnesses, and it shall

bear any reasonable cost attendant upon the appearance of [participating percipient](#) witnesses at the hearing.

(6) The principle of confrontation shall apply throughout the hearing and the complainant shall bear the burden of proof, which shall be by a preponderance of the evidence, i.e. whether the claims of wrongdoing or impropriety are more likely true than not true. Provided, for purposes of clarity, in a Civil Rights case there is no burden on any party to have to prove its case but rather the process included in Appendix A contemplates the Hearing Committee shall provide a neutral review of all information presented at the hearing to determine whether the claims of wrongdoing or innocence are more likely true than not true.

(7) A recording of the hearing shall be made. The recording will normally be an audio recording arranged by the Hearing Committee Chair. The full cost of the recording shall be borne by the University. A transcript of the recording may be requested by a party, the cost of which will be charged to the requesting party.

(8) The full text of the findings and the conclusions of the Hearing Committee shall be made available in identical form and at the same time to the President's Office and the parties in the case.

(9) The Committee may proceed to its findings, conclusions and recommendations without having the record of the hearings transcribed, or it may request a transcript of the hearings if it feels its decision would be aided thereby.

(10) The President may attend the hearing or may designate a representative to attend in the President's place.

**(h) Disposition of Charges.** The Hearing Committee normally will communicate its findings, conclusions, and recommendations in writing to the parties involved and the President within 15 calendar days of the conclusion of the hearing.

(1) If action by the Board of Regents is not required by other policies or procedures and the President concurs in the recommendation, the President shall so indicate to the parties and the Hearing Committee's recommendation shall be put into effect. However, if the President does not concur, the President may modify, or reject the recommendations of the Hearing Committee or remand the matter to it for further consideration.

(2) If action by the Board of Regents is required by other policies or procedures, the President shall forward the full record of the hearing and the conclusions and recommendations of the Hearing Committee, together with his/her recommendation, to the Board of Regents within 15 calendar days of

receiving the recommendation of the Hearing Committee. The Board of Regents may adopt, modify, or reject the recommendation of the President and/or Hearing Committee or remand the matter to the Hearing Committee for further consideration.

(3) If either the President or the Board of Regents chooses to remand the matter to the Hearing Committee, they will return the proceedings to the Hearing Committee and specify their concerns within 15 calendar days and 15 calendar days after the next regularly scheduled Board of Regents meeting, respectively. The Hearing Committee shall reconsider the case, take into account the stated concerns and receive new evidence as deemed necessary. As soon as reasonably possible, the Hearing Committee shall report its final conclusions to the President for the President's decision or for the President's transmittal to the Board of Regents as before. The work of the Hearing Committee is finished when the President communicates the final decision, whether duly made by the President or the Board of Regents, to the parties in the case, the Hearing Committee, and any necessary administrative officers.

(4) If the complaint under consideration has alleged the violation of academic freedom and/or academic due process and if the Hearing Committee finds that either or both have been violated, the Hearing Committee must recommend that any professional or personnel decision affected by the violation shall be initiated anew from the point of the violation. The Hearing Committee also may recommend necessary remedies appropriate to the case.

(i) Disposition of Records. Upon conclusion of any hearing, the Chair of the Hearing Committee shall remove all identifying characteristics from the agreement on procedures, if any, and shall forward this document to the Office of the Senior Vice President and Provost. Agreements on said procedures will be maintained in a file in the Office of the Senior Vice President and Provost and will be available to panel members and participants in future cases upon request. All other text, transcripts, and documents of the procedures will be held in the Faculty Senate Office and released only with the consent of the Hearing Committee, in accordance with appropriate legal process, or as needed by the University in defense of any matter. Tapes of the hearing will be stored in the Office of the Legal Counsel for five years or as otherwise required by law. In the case of hearings involving discrimination, harassment, or retaliation, copies of all transcripts and documents will be filed with the University Institutional Equity Office.

(j) Policy Maintenance. A Rights Assurance Committee composed of the University Ombudsperson; University Institutional Equity Office; FAB Chair, Chair-elect, and former Chair; University Legal Counsel; Faculty Senate Chair, and Senior Vice President and Provost or their designated representatives will confer annually with respect to grievances that have transpired and to formulate recommendations to revise these

procedures, as necessary. The FAB Chair will chair the committee and report recommended changes to the Faculty Senate for consideration.

**(C) ADMINISTRATIVE TERMINATION**

In the event the grievance/complaint, if prosecuted, would clearly violate prevailing law (e.g., violate the faculty member's 1<sup>st</sup> Amendment right to free speech or constitute retaliation), then the FAB Chair, with the advice of University Legal Counsel after due examination, shall administratively terminate the Hearing process.

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<sup>i</sup> Sections 3.8.3 and 3.9 revised \_\_\_\_ 2013.

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**NOMINATIONS FOR FACULTY SENATE VACANCIES ON COMMITTEES (April 2013)**

<b>Committee</b>	<b>Term</b>	<b>FirstName</b>	<b>LastName</b>	<b>Department</b>
Academic Programs Council	2013-16	Harold	Mortimer	Musical Theatre
Academic Programs Council	2013-16	Kirsten	de Beurs	Geog. & Environ. Sust.
Academic Regulations Comm.	2013-16	Brian	Grady	Chem, Bio & Mat Engr.
Athletics Council	2013-16	Craig	Hofford	Heath & Exer. Science
Budget Council	2013-16	Karl	Sievers	Music
Campus Tenure Committee	2013-16	Dawn	Jourdan	Reg. & City Planning
Campus Tenure Committee	2013-16	Ze'ev	Reches	Geology & Geophysics
Conflict of Interest Adv. Comm.	2013-16	Shivakumar	Raman	Industrial & Sys. Engr.
Continuing Education Council	2013-16	Randa	Shehab	Industrial & Sys. Engr.
Copyright Committee	2013-16	Peter	Kutner	Law
Employment Benefits Comm.	2013-16	Karen	Rupp-Serrano	University Libraries
Faculty Appeals Board	2013-17	Rich	Cifelli	Biology/SNOMNH
Faculty Appeals Board	2013-17	Justin	Wert	Political Science
Faculty Appeals Board	2013-17	Ola	Fincke	Biology
Faculty Appeals Board	2013-17	Friederike	Jentoft	Chem, Bio & Mat Engr.
Faculty Appeals Board	2013-17	Miguel	Bagajewicz	Chem, Bio & Mat Engr.
Faculty Appeals Board	2013-17	Bret	Wallach	Geog. & Environ. Sust.
Faculty Appeals Board	2013-17	Nick	Harm	Architecture
Faculty Appeals Board	2013-17	Changwook	Kim	Computer Science
Faculty Appeals Board	2013-17	Kathryn	Haring	Educ. Psychology
Faculty Appeals Board	2013-17	Karen	Antell	University Libraries
Faculty Appeals Board	2013-17	Michael	Kramer	Communication
Faculty Appeals Board	2013-17	Jody	Newman	Educ. Psychology
Faculty Appeals Board	2013-16	John	Jiang	Elec. & Comp. Engr.
Faculty Appeals Board	2013-14	David	Vishanoff	Religious Studies
Faculty Appeals Board	2013-14	Roland	Barnett	Music
Faculty Awards & Honors Council	2013-16	Shivakumar	Raman	Industrial & Sys. Engr.
Faculty Awards & Honors Council	2013-16	Alan	McPherson	Inter. & Area Studies
Faculty Awards & Honors Council	2013-14, complete Milton's	Fred	Shelley	Geog. & Environ. Sust.
Film Review Committee	2013-15	Liorah	Golomb	University Libraries
Fitness & Rec Serv. Adv. Comm.	2013-15	Jody	Foote	University Libraries
Goddard Health Center Adv. Board	2013-16	Kim	Marshall	Anthropology
Info. Tech. Council	2013-16	Lance	Drege	Music
Info. Tech. Council	2013-16	Elizabeth	Pober	Interior Design
Info. Tech. Council	2013-15, complete Livingood's	Al	Schwarzkopf	Management Info. Sys.
Legal Panel	2013-16	Dawn	Jourdan	Reg. & City Planning
Legal Panel	2013-15, complete Coyne's	Brenda	Barnes	Law
Libraries Committee	2013-16	Kash	Barker	Industrial & Sys. Engr.
Libraries Committee	2013-16	Bruce	Mason	Physics
Patent Advisory Committee	2013-16	Tyrrell	Conway	Micro. & Plant Biology
Research Advisory Comm. to VPR	2013-16	Hong	Liu	Elec. & Comp. Engr.
Research Council [SocSci/Educ]	2013-16	Kendra	Williams-Diehm	Educ. Psychology
Research Council [Humanities]	2013-16	Jane	Wickersham	History
Research Council [Fine Arts]	2013-16	Sanna	Pederson	Music
Rita Lottinville Prize for Fr. Comm.	2013-16	Aparna	Mitra	Economics
ROTC Advisory Committee	2013-16	Christopher	Sadler	Drama
Shared Leave Committee	2013-16	Jaymie	Turner	University Libraries
Student Code Revision Comm.	2013-14	Jeffrey	Wilhite	University Libraries
Student Conduct Hearing Panel Pool	2013-15	Marc	Levine	Anthropology
Student Conduct Hearing Panel Pool	2013-15	Christopher	Sadler	Drama
Student Conduct Hearing Panel Pool	2013-15	Lucas	Bessire	Anthropology
Student Conduct Hearing Panel Pool	2013-15	Dawn	Jourdan	Reg. & City Planning
Student Conduct Hearing Panel Pool	2013-15	Deniz	Eseryel	Educ. Psychology
Student Conduct Hearing Panel Pool	2013-15	Lisa	Frey	Educ. Psychology
Tobacco & Park. Viol. App. Comm.	2013-14, complete Livingood's	Barbara	Greene	Educ. Psychology

*Faculty appointments also will be made by the administration to:*

Academic Programs Council, Academic Regulations Committee, Athletics Council, Budget Council, Campus Tenure Committee, Continuing Education Council, Employment Benefits Committee, Environmental Concerns Committee, Film Review Committee, Legal Panel, Libraries Committee, Patent Advisory Committee, Research Council, Retirement Plans Management Committee, Rita Lottinville Prize for Freshmen Committee, ROTC Advisory Committee, Scholars Selection Committee, Speakers Bureau, and the Tobacco & Parking Violation Appeals Committee.

***Faculty Senate Standing Committees:***

Committee on Committees	2013-16	S.	Lakshmivarahan	Computer Science
Committee on Committees	2013-16	Jody	Foote	University Libraries
Committee on Faculty Comp.	2013-16	Donna	Nelson	Chemistry & Biochem.
Committee on Faculty Welfare	2013-16	Chris	Ramseyer	Civil Engr. & Env. Sci
Committee on Faculty Welfare	2013-16	Aparna	Mitra	Economics
Faculty Dev. Awards Comm.	2013-15	Mohammed	Atiquzzaman	Computer Science
Faculty Dev. Awards Comm.	2013-15	Laurel	Smith	Geog. & Environ. Sust

## Proposed Incomplete 'I' Grade Change Policy – Clean Version

This is a referral from the Academic Regulations Committee concerning a university-wide policy to convert an Incomplete grade to a permanent pre-determined grade if work not completed within one year.

Currently, if by the end of the year no change in grade has been submitted, the grade of I becomes permanent. The change in policy proposed, beginning Fall 2013, would be that a grade of I will be changed to the pre-determined permanent grade if the work is not completed within one year. The grade assignment is to be indicated on the newly implemented Incomplete Contract form that all instructional faculty will be required to use when assigning a grade of Incomplete.

An "I" grade could not be indicated on the Contract as a permanent pre-determined grade, and it should be noted on the form that a grade of "I" cannot be assigned. The contract form should contain more information about the student's standing in the class, it should have a place to state that the student is passing the class at that point. Instructors are highly encouraged to avoid assigning "I" grades to international students (especially reciprocal exchange).

The consensus of the Academic Regulations Committee was agreement with the policy change, and with the contract (if fields are added for a description of the student's grade at the time, including components of the class, i.e. exams, papers, completed to date).

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The complete OSRHE policy is available at <http://catalog.ou.edu/current/index.html>, by clicking on Office of Academic Records (Academic Standards, Grades).

I is a neutral mark and means incomplete. It is not an alternative to a grade of F, and no student may be failing a course at the time an I grade is awarded. To receive an I grade, the student should have satisfactorily completed a substantial portion of the required course work for the semester. Beginning with the Fall 2013 semester, the instructor will indicate to the student and to the Office of Academic Records what must be done to complete the course and set a time limit appropriate to the circumstances. However, the time limit allowed may not exceed one calendar year. If by the end of the year no change in grade has been submitted, the grade of I will be changed to the pre-determined permanent grade. After a grade of I has been changed, a student may re-enroll in the course if appropriate or required. The foregoing time limitations concerning removal of an incomplete do not apply to graduate research or problem courses.

Graduate College "I." With the approval of the instructor and Graduate College Dean, a graduate student may be granted up to a one-year extension for making up incomplete work. No petitions for extensions beyond one year will be considered. After the incomplete work is made up, the instructor shall promptly report the new grade to the Office of Academic Records so that it can be posted to the student's transcript. In any case, the new grade must be posted to the student's transcript within one year of the deadline for making up the incomplete work (including any extension, if granted). If the new grade has not been posted within this one-year time period, the student shall have one additional year in which to file an appeal with the Graduate Dean requesting that the proper grade be posted. If no such appeal is received by the Graduate Dean within this second year time period, the grade of "I" shall be changed to the pre-determined permanent grade.

The new university-wide Incomplete Contract Form that all instructional faculty will be required to use when assigning a grade of INCOMPLETE, effective with the Fall 2013 semester, is available here:

<http://www.ou.edu/content/dam/provost/documents/University%20Wide%20Incomplete%20Contract%205-23-12.pdf>. This document protects both faculty and students by documenting circumstances that led to the assignment of an Incomplete grade. We believe everyone -- faculty, students and staff -- will find the document easy to complete and very helpful. If an instructor is unable to secure the student's signature on the Incomplete Contract Form, they should notify Academic Records and submit an "N" grade. We welcome your comments and input during this first semester of use as you try out the form; we seek to make it as useful as possible.

When an instructor assigns an Incomplete, s/he must complete this fillable PDF form, stipulating the following:

Date all work must be completed and turned in (not to exceed 1 year)

Grade to be assigned if work is not turned in by this date (cannot be an I)

- reason for the 'Incomplete' grade
- description of remaining assignments
- Description of components of current grade, i.e. tests, papers, etc., and that the student is passing at the time
- procedure for student to turn in the work
- instructor comments

Please note:



- The faculty member and student must both sign/date the document so that no student will be assigned an 'Incomplete' without his/her acknowledging the action and how the course will be completed. Student signature via e-mail is acceptable. If an instructor is unable to secure the student's signature on the Incomplete Contract Form, they should notify Academic Records and submit an "N" grade.
- The instructor and student will both keep a copy of the document, which may be an electronic copy.
- The instructor will put a copy of the document on file with the department office (by way of a hard copy or an e-copy to departmental or school designated staff person) in case another faculty member has to assume responsibility for overseeing completion of the course and with the Office of Academic Records.

'Incomplete Guidelines' and 'Notes' on page 2 of the form.

#### **'Incomplete' Guidelines**

1. An Incomplete is designed for students who, through circumstances usually not within their control, cannot complete the last 10-30% of the required assignments in a course.
  - This would generally include only the final exam or a last written assignment.
  - If a student misses one or two assignments at the beginning or middle of a course, s/he should make up the work during the term or withdraw from the course and retake it.
2. If a student fails to take a final exam or does not turn in a final assignment, the instructor should award a grade calculated on the actual work completed, factoring in Zero grades for uncompleted work.
3. A student may not be failing a course at the time an 'I' grade is awarded.
  - An Incomplete is not an alternative to a grade of 'F'.
4. An instructor should not give an Incomplete without notifying the student.
  - If the student later contacts the instructor and gives a reasonable explanation for not completing the course, the instructor may change the student's grade to 'I' and allow the student time to complete the work.
5. The instructor may, at his/her option, require the student to provide written documentation of the circumstances leading to the request for an Incomplete.
6. Both the instructor and student must acknowledge the terms under which the missing work is to be completed.
  - Each party must sign the form.
  - The student and the faculty member should each retain a copy of the agreement.
  - A copy of the agreement should be put on file in the department's main office in case circumstances require that another faculty member must assume responsibility for working with the student to complete the coursework.
7. The time allowed to complete the work may not exceed one calendar year.
  - If the student has not made up the Incomplete by the end of the year, the I grade will be changed to the pre-determined permanent grade.
  - An exception to the one-year rule may be considered by student petition to the faculty member, with approval by the college dean/dean's designee.
8. An 'I' grade is neutral and will not affect the student's grade point average.
9. After a grade of 'I' has been changed to the pre-determined permanent grade, a student may enroll in the course again if appropriate or required.

#### **Notes**

1. A student may not remove an Incomplete on his/her OU transcript by taking the course at another institution.
2. A student may NOT repeat a course to complete it.
  - State Regents policy specifically forbids a student from enrolling in a course for one full year after receiving a grade of 'I' in the same course.
  - Repeating a course implies the student had more than just the final exam or term paper to complete.
3. A student may not 'sit in' a course to complete it.
  - This implies the student had too much unfinished work to receive an 'I'.
  - This is akin to auditing a course, and it is against University policy for a student to audit a course without enrolling and paying tuition and fees.
  - Exceptions may be made for small portions of the class where student participation is required to make up the incomplete work.
4. It is not appropriate to assign an Incomplete and give the student additional assignments to help raise his/her grade.
5. Instructors are highly encouraged to avoid assigning "I" grades to international students (especially reciprocal exchange).

## Proposed Incomplete 'I' Grade Change Policy – Showing Changes

This is a referral from the Academic Regulations Committee concerning a university-wide policy to convert an Incomplete grade to a permanent pre-determined grade if work not completed within one year.

Currently, if by the end of the year no change in grade has been submitted, the grade of I becomes permanent. The change in policy proposed, [beginning Fall 2013](#), would be that a grade of I will be changed to the pre-determined permanent grade if the work is not completed within one year. The grade assignment is to be indicated on the newly implemented Incomplete Contract form that all instructional faculty will be required to use when assigning a grade of Incomplete.

An "I" grade could not be indicated on the Contract as a permanent pre-determined grade, and it should be noted on the form that a grade of "I" cannot be assigned. The contract form should contain more information about the student's standing in the class, it should have a place to state that the student is passing the class at that point. Instructors are highly encouraged to avoid assigning "I" grades to international students (especially reciprocal exchange).

The consensus of the Academic Regulations Committee was agreement with the policy change, and with the contract (if fields are added for a description of the student's grade at the time, including components of the class, i.e. exams, papers, completed to date).

Recommendations noted in red (ARC), light blue (FSEC) and strikethroughs below.

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The complete OSRHE policy is available at <http://catalog.ou.edu/current/index.html>, by clicking on Office of Academic Records (Academic Standards, Grades).

I is a neutral mark and means incomplete. It is not an alternative to a grade of F, and no student may be failing a course at the time an I grade is awarded. To receive an I grade, the student should have satisfactorily completed a substantial portion of the required course work for the semester. [Beginning with the Fall 2013 semester](#), the instructor will indicate to the student and to the Office of Academic Records what must be done to complete the course and set a time limit appropriate to the circumstances. However, the time limit allowed may not exceed one calendar year. If by the end of the year no change in grade has been submitted, the grade of I **will be changed to the pre-determined permanent grade**. After a grade of I has **been changed**, a student may re-enroll in the course **if appropriate or required**. ~~Credit for courses in which a student has received an I at the University of Oklahoma cannot be transferred from another institution.~~ The foregoing time limitations concerning removal of an incomplete do not apply to graduate research ~~and graduate or~~ problem courses.

Graduate College "I." With the approval of the instructor and Graduate College Dean, a graduate student may be granted up to a one-year extension for making up incomplete work. No petitions for extensions beyond one year will be considered. After the incomplete work is made up, the instructor shall promptly report the new grade to the Office of Academic Records so that it can be posted to the student's transcript. In any case, the new grade must be posted to the student's transcript within one year of the deadline for making up the incomplete work (including any extension, if granted). If the new grade has not been posted within this one-year time period, the student shall have one additional year in which to file an appeal with the Graduate Dean requesting that the proper grade be posted. If no such appeal is received by the Graduate Dean within this second year time period, the grade of "I" shall **be changed to the pre-determined permanent grade**.

The new university-wide Incomplete Contract Form that all instructional faculty will be required to use when assigning a grade of INCOMPLETE, ~~effective with the Fall 2012 semester.~~ The form, [effective with the Fall 2013 semester](#), is available here: <http://www.ou.edu/content/dam/provost/documents/University%20Wide%20Incomplete%20Contract%205-23-12.pdf>. This document protects both faculty and students by documenting circumstances that led to the assignment of an Incomplete grade. We believe everyone -- faculty, students and staff -- will find the document easy to complete and very helpful. [If an instructor is unable to secure the student's signature on the Incomplete Contract Form, they should notify Academic Records and submit an "N" grade.](#) We welcome your comments and input during this first semester of use [semester](#) as you try out the form; we seek to ~~may~~ [make](#) it as useful as possible.

When an instructor assigns an Incomplete, s/he must complete this fillable PDF form, stipulating the following:

Date all work must be completed and turned in (not to exceed 1 year)

Grade to be assigned if work is not turned in by this date (**cannot be an I**)

- reason for the 'Incomplete' grade
- description of remaining assignments
- **Description of components of current grade, i.e. tests, papers, etc., and whether that the student is passing at the time**
- procedure for student to turn in the work
- instructor comments

Please note:

- The faculty member and student must both sign/date the document so that no student will be assigned an 'Incomplete' without his/her acknowledging the action and how the course will be completed. Student signature via e-mail is acceptable. **If an instructor is unable to secure the student's signature on the Incomplete Contract Form, they should notify Academic Records and submit an "N" grade.**
- The instructor and student will both keep a copy of the document, which may be an electronic copy.
- The instructor will put a copy of the document on file with the department office (by way of a hard copy or an e-copy to departmental or school designated staff person) in case another faculty member has to assume responsibility for overseeing completion of the course **and with the Office of Academic Records.**

'Incomplete Guidelines' and 'Notes' on page 2 of the form.

#### **'Incomplete' Guidelines**

1. An Incomplete is designed for students who, through circumstances usually not within their control, cannot complete the last 10-30% of the required assignments in a course.
  - This would generally include only the final exam or a last written assignment.
  - If a student misses one or two assignments at the beginning or middle of a course, s/he should make up the work during the term or withdraw from the course and retake it.
2. If a student fails to take a final exam or does not turn in a final assignment, the instructor should award a grade calculated on the actual work completed, factoring in Zero grades for uncompleted work.
3. A student may not be failing a course at the time an 'I' grade is awarded.
  - An Incomplete is not an alternative to a grade of 'F'.
4. An instructor should not give an Incomplete without notifying the student.
  - If the student later contacts the instructor and gives a reasonable explanation for not completing the course, the instructor may change the student's grade to 'I' and allow the student time to complete the work.
5. The instructor may, at his/her option, require the student to provide written documentation of the circumstances leading to the request for an Incomplete.
6. Both the instructor and student must acknowledge the terms under which the missing work is to be completed.
  - Each party must sign the form.
  - The student and the faculty member should each retain a copy of the agreement.
  - A copy of the agreement should be put on file in the department's main office in case circumstances require that another faculty member must assume responsibility for working with the student to complete the coursework.
7. The time allowed to complete the work may not exceed one calendar year.
  - If the student has not made up the Incomplete by the end of the year, **the I grade will be changed to the pre-determined permanent grade.**
  - An exception to the one-year rule may be considered by student petition to the faculty member, with approval by the college dean/dean's designee.
8. An 'I' grade is neutral and will not affect the student's grade point average.
9. After a grade of 'I' **has been changed to the pre-determined permanent grade**, a student may enroll in the course again **for a grade if appropriate or required.**

#### **Notes**

1. A student may not remove an Incomplete on his/her OU transcript by taking the course at another institution.
2. A student may NOT repeat a course to complete it.
  - State Regents policy specifically forbids a student from enrolling in a course for one full year after receiving a grade of 'I' in the same course.
  - Repeating a course implies the student had more than just the final exam or term paper to complete.
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  - Exceptions may be made for small portions of the class where student participation is required to make up the incomplete work.
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