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Board of Trustees

12-11-2021

December 11, 2021 Meeting Minutes

Shawnee State University

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**SHAWNEE STATE UNIVERSITY
BOARD OF TRUSTEES**

**Meeting Minutes
December 11, 2021**

Call to Order

Chairperson Furbee called the meeting to order at 10:00 a.m. noting the meeting was in compliance with RC § 121.22(F).

Roll Call

Members present: Mr. Furbee, Mr. Daniels, Mr. Evans, Dr. Haas, Mr. Watson, Ms. Starnes, and Mr. Cole. Mr. Edwards joined the meeting at 10:03 a.m.

Members absent: Ms. Hartop

Approval of the December 11, 2021 Agenda

Mr. Evans moved and Dr. Haas seconded a motion to approve the December 11, 2021 Board meeting agenda. Without discussion, the Board unanimously approved the December 11, 2021 Board meeting agenda.

Resolution E11-21, Approval of Anti-Hazing Policy 3.25

Resolution E11-21, Approval of Anti-Hazing Policy, establishes compliance with “Collin’s Law: The Ohio Anti-Hazing Act” and prohibits hazing. Mr. Evans moved that the Board adopt Resolution E11-21 and Mr. Daniels seconded the motion. The motion was passed by unanimous vote of all Board members present.

Resolution E12-21, Appointment of Vice President for Finance and Administration

Resolution E12-21, Appointment of Vice President for Finance and Administration, appoints Dr. Jonica Burke as Vice President for Finance and Administration and authorizes the President to execute an executive employment agreement with Dr. Burke. Mr. Daniels moved that the Board approve Resolution E12-21 and Mr. Watson seconded the motion. The motion was passed by unanimous vote of all Board members present.

Resolution E13-21, Appointment of Board Treasurer

Resolution E13-21, Appointment of Board Treasurer, appoints Dr. Jonica Burke as Board Treasurer and sets \$5 million dollars as the level of faithful performance insurance required for the Treasurer. Mr. Evans moved to approve Resolution E13-21 and Dr. Haas seconded the motion. The motion was passed by unanimous vote of all Board members present.

Comments from Constituent Groups and the Public

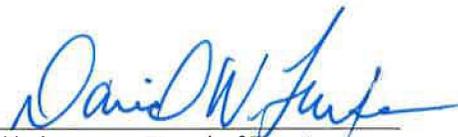
None

Other Business

Dr. Sunil Ahuja, Provost and Vice President for Academic and Student Affairs, provided an update on program accreditation for the School of Business.

Adjournment

Mr. Evans moved and Mr. Edwards seconded a motion to adjourn. The motion was passed unanimously and the Board was adjourned at 10:21 a.m.


Chairperson, Board of Trustees


Secretary, Board of Trustees

RESOLUTION E11-21

APPROVAL OF POLICY PROHIBITING HAZING

WHEREAS, the Ohio General Assembly this year enacted “Collin’s Law: The Ohio Anti-Hazing Act” in attempt to combat hazing and the serious physical and mental harm and sometimes death that hazing causes on college and university campuses; and

WHEREAS, Collin’s Law imposes new notification, reporting, education, training, and enforcement duties with respect to University officials, employees, students, student organizations, and visitors; and

WHEREAS, the Chancellor of the Ohio Department of Education has issued guidance regarding how Ohio institutions of higher education can comply with Collin’s law; and

WHEREAS, the University, in recognition of the harm and tragic consequences that can be caused by hazing, and pursuant to the Chancellor’s guidance, wishes to enact a policy that addresses the concerns raised in Collin’s law; and

WHEREAS, Policy No. 3.25, Prohibition of Hazing, has been recommended by the President for Board of Trustees approval;

THEREFORE, BE IT RESOLVED that the Board of Trustees of Shawnee State University hereby approves Policy 3.25, Prohibition of Hazing.

(December 11, 2021)

Certified as True and Correct
December 13, 2021

Secretary, SSU Board of Trustees

Shawnee State University

POLICY TITLE:	ANTI-HAZING POLICY
POLICY NO. :	3.25
ADMIN CODE:	3362-3-25
PAGE NO.:	1 OF 2
EFFECTIVE DATE:	12/11/21
NEXT REVIEW DATE:	12/2024
RESPONSIBLE OFFICERS:	DEAN OF STUDENTS; TITLE IX COORDINATOR
APPROVED BY:	BOARD OF TRUSTEES

1.0 PURPOSE

- 1.1 Shawnee State University is committed to a safe and respectful campus environment that aligns with our institutional values. Hazing can cause irreparable harm to victims, victims' families, and the University community. From a legal perspective, hazing is a crime. From the University's perspective, hazing is antithetical to the ideals and values of our learning community. Prevention of hazing is the responsibility of every member of the University community, including students, student organizations, teams, employees, volunteers, and alumni.
- 1.2 Members of the Shawnee State University community who are expressly prohibited from engaging in hazing include students, staff, faculty, volunteers, guests, and individuals or members of recognized groups, such as student organizations, teams, or associations.

2.0 DEFINITION

"Hazing" is defined as committing any act or coercing another, including the victim, to commit any act of initiation into any student or other organization or any act to continue or reinstate membership in or affiliation with any student or other organization that causes or creates a substantial risk of causing mental or physical harm to any person, including coercing another to consume alcohol or a drug of abuse. This definition was enacted to comply with Ohio Revised Code Section 2903.31; to the extent the definition in the ORC is modified, this policy definition shall be deemed similarly modified.

3.0 POLICY SCOPE

- 3.1 This policy applies to students, student organizations, groups and teams, coaches, and employees. This policy also applies to volunteers and alumni acting in an official capacity who advise or coach student organizations and/or student groups and who have direct contact with students.

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December 13, 2021


Secretary, SSU Board of Trustees

- 3.2 Shawnee State University has jurisdiction over this Policy whether the conduct occurs on or off-campus.
- 3.3 The following factors do not prevent conduct from being considered a violation of this Policy:
 - 3.3.1 Expressed or implied consent; or
 - 3.3.2 The conduct not being part of an official event or otherwise sanctioned or approved by a student organization or student group.
- 3.4 Hazing does not include either of the following:
 - 3.4.1 Reasonable and customary organizational training, contests, competitions, or other events that are explicitly relevant to the mission of the organization; or
 - 3.4.2 Lawful expressive activities that are protected under the First Amendment to the United States Constitution, Section 11 of Article I of the Ohio Constitution, or Sections 3345.0211 through 3345.0214 of the Ohio Revised Code.

4.0 UNIVERSITY RESOURCES

- 4.1 The University will have processes and resources in place to protect students, employees, and visitors from prohibited hazing and to ensure the following:
 - 4.1.1 Compliance with applicable state and federal laws that address hazing;
 - 4.1.2 Complaints of hazing are adequately investigated and resolved; and
 - 4.1.3 Training and educational programs on hazing, including hazing awareness, prevention, intervention, and reporting.
- 4.2 The President is authorized to enact procedures to carry out the objectives of this policy, which shall include matters including but not limited to duties to report hazing, methods to enforce this policy, and sanctions for violations.

History

Effective: 12/11/2021

Applicable Procedures: [3.25:1 Anti-Hazing Reporting, Investigation, and Training \(Hyperlink\)](#)

INFORMATION ONLY

PROCEDURE TITLE:	ANTI-HAZING REPORTING, INVESTIGATION, AND TRAINING
PROCEDURE NO.:	3.25:1
RELATED POLICY:	3.25
PAGE NO.:	1 OF 3
RESPONSIBLE ADMINISTRATORS:	DEAN OF STUDENTS; TITLE IX COORDINATOR
EFFECTIVE DATE:	12/11/21
NEXT REVIEW DATE:	12/2024
APPROVED BY:	PRESIDENT

1.0 INTRODUCTION AND PURPOSE

- 1.1 Shawnee State University prohibits hazing. The University will investigate and respond to all reports of hazing.
- 1.2 The anti-hazing policy applies to students, student organizations, student groups, and employees. This policy also applies to volunteers acting in an official capacity who advise or coach student organizations and/or student groups and who have direct contact with students.
- 1.3 Shawnee State University has jurisdiction over this policy whether the conduct occurs on or off campus.

2.0 JURISDICTION AND ENFORCEMENT

- 2.1 This anti-hazing policy applies to conduct that occurs on or off campus between two or more people who are affiliated with the University, or involving any student or organization associated with the University. Students, university employees, student organizations and teams, and individuals associated with student organizations (e.g., chapter advisors, volunteer coaches, club team coaches, etc.) are prohibited from hazing.
- 2.2 The Dean of Students and Title IX Offices shall coordinate the investigation of all hazing allegations. When appropriate, other college offices may handle certain aspects of the college response (e.g., Human Resources, Department of Public Safety). Additionally, the Dean of Students will assess the need for interim measures (e.g., suspension of current group activities), when appropriate. Every reasonable effort will be taken to complete the investigation in a timely manner. Hazing allegations will be investigated and resolved in keeping with the Student Code of Conduct, Human Resources procedures, or collective bargaining agreements, as applicable. At the point when a formal conduct charge is made against a campus

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organization, the national or oversight organization, if any, shall be notified. Criminal investigations resulting from a report to law enforcement will be handled by the appropriate law enforcement agency. Shawnee State University may charge an individual or a group with a violation of this anti-hazing policy via the Student Conduct Code and/or other college rules, regulations or policies. Sanctions applied to organizations and/or individuals will be imposed in accordance with the severity of the violation and will be determined by the Office of the Dean of Students or Human Resources.

If a student or student organization is found responsible for violating this policy and has been accused of also violating a local, state, or federal law in connection with the same matter, any University conduct finding will not be subject to change because external criminal or civil charges arising out of the same fact pattern were dismissed, reduced, settled, or resolved in favor of or against a student, student organization, or employee.

3.0 SANCTIONS

Hazing is not permitted as part of the experience of being a student, a member or potential member of an organization, an advisor, athlete, volunteer or person otherwise affiliated with the university community. Hazing is a serious offense and therefore is subject to the full range of sanctions (reprimand, disciplinary probation, suspension, expulsion, termination). In addition, other educational or training activities may be required as conditions of the sanction. An individual, organization, or group may also be subject to other outcomes in accordance with the applicable outside constituents or group in which the student is involved, or their governing bodies. The University, however, has the right to take action regardless of the actions of any governing body or other outside entity.

4.0 REPORTING

4.1 Shawnee State University is committed to reviewing all reports of hazing. Anonymous reports are accepted; however, the college's ability to obtain additional information may be compromised and the ability to investigate anonymous reports may be limited.

Individuals with knowledge about a hazing incident are required to report the incident to the Title IX Office or Dean of Students Office. Anonymous reports of hazing can be submitted online at <https://www.shawnee.edu/complaint>.

4.2 Upon learning of potential hazing, a "mandatory reporter" must immediately report knowledge of hazing to either the Title IX Office, Dean of Students Office, or through the complaint form at <https://www.shawnee.edu/complaint>. The following are considered a "mandatory reporter":

4.2.1. Any full or part-time employee of the University (including student employees and graduate assistants); and

- 4.2.2 Any volunteer acting in an official capacity who advises or coaches student organizations and/or student groups and who has direct contact with students.
- 4.3 Employees who are required by law to protect confidentiality are not mandated reporters.

5.0 TRAINING

Shawnee State University will annually provide educational training on hazing awareness, prevention, and intervention to all members and prospective members of student organizations and anyone who is employed by, volunteers with, or has direct contact with student members of such organizations. The education may be provided in person, electronically, or both. The Dean of Students Office will maintain a record of individuals who have completed the training and shall prohibit a student who does not attend the program from participating in any University-recognized or sanctioned organization until the student attends the program. Any such organization shall not accept or initiate any person who has not attended the program.

6.0 POLICY VIOLATIONS REPORT

The University will maintain a report of all violations reported to the University, resulting in a violation charge of the policy. The report shall identify the subject of the report and include the date, description, findings, penalties as applicable, and resolution. The University will update the report bi-annually on January 1 and August 1 or as otherwise required by law, and post the updated report on the University website.

7.0 NOTICE AND POSTING OF ANTI-HAZING POLICY AND PROCEDURE

This procedure and its accompanying policy shall be posted on the University web site, and copies shall be disseminated to all campus organizations.

History

Effective: 12/11/2021

RESOLUTION E12-21

APPOINTMENT OF VICE PRESIDENT FOR FINANCE AND ADMINISTRATION

WHEREAS, University Policy 5.16Rev, President's Authority to Appoint Personnel & Manage Positions, requires approval by the Board of Trustees for appointment to the executive position of vice president; and

WHEREAS, the University engaged in a national search in which a comprehensive process was undertaken to select a highly qualified candidate for the position of Vice President for Finance and Administration; and

WHEREAS, Dr. Jonica Burke competed as a candidate through this national search process and was recommended for this position by a university search committee; and

WHEREAS, the President recommends Dr. Burke for this appointment;

THEREFORE, BE IT RESOLVED that the Board of Trustees of Shawnee State University approves the appointment of Dr. Jonica Burke to the position of Vice President for Finance and Administration, effective January 4, 2022, and further authorizes the President to execute an executive employment agreement with Dr. Burke consistent with applicable university policies.

(December 11, 2021)

Certified as True and Correct
December 13, 2021


Secretary, SSU Board of Trustees

RESOLUTION F13-21

APPOINTMENT OF BOARD TREASURER

WHEREAS, Ohio Revised Code Section 3362.02 authorizes the Board to appoint a Treasurer; and

WHEREAS, the Code requires that before an appointed Treasurer begins discharging his or her duties as such, she must give bond to the state or be insured – in an amount established by the Board -- for the faithful performance of her duties and the proper accounting for all monies coming into the Treasurer's care; and

WHEREAS, the Board on December 11, 2021 appointed Dr. Jonica Burke as Vice President for Finance and Administration, effective January 4, 2022; and

WHEREAS, the Board wishes to appoint Dr. Burke to the position of Treasurer, and to establish \$5 million as the level at which she should be insured for faithful performance of her duties and the proper accounting for monies coming into her care;

NOW, THEREFORE, IT IS RESOLVED that the Board appoints Dr. Jonica Burke as Board Treasurer to replace Dr. Elinda Boyles, effective January 4, 2022, and sets \$5 million dollars as the level of faithful performance insurance required for the Treasurer; and

IT IS FURTHER RESOLVED, that pursuant to the Board's bylaws, the appointment of Dr. Burke will be continuing but may be terminated by the Board at any time with or without cause.

(December 11, 2021)

Certified as True and Correct
December 13, 2021


Secretary, SSU Board of Trustees