

# ***AGENDA FOR UNIVERSITY SENATE MEETING***

*(Meeting #7, 2015-16)*

***April 28, 2016***

***4:00 p.m.***

***LB (Letterman Building) Room 125***

Approval of senate minutes of March 17, 2016

I. Announcements

- A. Faculty Athletics Representative to NCAA/Mac Report – Charlene Alexander, FARA Representative (Enclosure #1)
- B. Action on Disabled Parking (Enclosure #2)
- C. Academic Posting (Enclosure #3)

II. Per Diem Rates                      Bernard Hannon  
Vice President of Business Affairs

III. Recognition of Death                      Jean Louise Heffron  
17 Years of Service, Retired 1992  
Assistant Director of Admissions Emerita

IV. Committee Reports

- A. Governance and Elections Committee – Karen Kessler, Chairperson
- B. Faculty Council – Andy Beane, Vice Chairperson and Acting Chairperson, Spring, 2016
- C. University Council – Derek Berger, Chairperson
- D. Campus Council – Rachel Johnson, Chairperson
- E. Student Government Association – James Wells

V. Report by Chairperson of Senate – Amy Harden (Enclosure #4- Issues in the Senate System)

VI. Questions Directed to the Interim President

VII. Question and Answer Period

VIII. Unfinished Business

IX. New Business

- A. Conflict of Interest/Conflict of Commitment Policy Revisions (Enclosure #5)
- B. Add/Drop Policy Revisions (Enclosure #6)

C. Proposed Policy Enhancements to Sick Leave Days to Care for a Family Member and Adoption/Foster Care Placement of a Child for Faculty, Professional and Staff Personnel (Enclosure #7)

D. Senate Resolution (Enclosure #8)

X. Other Items

XI. Adjournment

/mt

MINUTES OF THE SIXTH MEETING OF THE 2015-16 UNIVERSITY SENATE  
Thursday, March 17, 2016

Members Present: 57

Members Absent: 9

1. The meeting was called to order by the chairperson of the University Senate, Amy Harden, at 4:00 p.m.

Roll Call was taken by initialing the roster located at the entrance to LB 125.

Members Present: R. Aby, S. Aegisdottir, E. Agnew, A. Beane, D. Berger, R. Brown, G. Carbo, M. Chiuini, J. Christman, J. Fitzgerald, B. Frankel, J. Fugate, J. Gruver, A. Harden, M. Hill, J. Hesser, M. Holtzman, S. Hsieh, J. Huff, J. Jemiolo, T. Jitpaiboon, J. Johnson, R. Johnson, K. Kessler, J. Khubchandani, T. King, K. Koch, M. Lee, I. Livshits, C. Luchs, M. Maggiotto, S. McFadden, R. Morris, E. Nesson, C. Pak, S. Pattison, Z. Taylor, C. Thomas, M. Warter D. Wheeler, R. Wijesinghe, E. Zygmunt

Substitutes: Matthew Reeder for J. Becker, Greta Slater for A. Brown, Ramon Avila for J. Chapman, Murray Steib for A. Crow, Matt Stephenson for K. Kenyon, Frank Groom for R. Kovac, Jun Xu for R. Kraus, Jim Jones for T. Mahfouz, Casey Schultz for C. Munchel, Joseph McKinney for M. Quick, Jonathan Forbey for K. Ritchey, Marie Kelley-Wordon for R. Bernot, Greg Marchant for S. Shim, Ben Gibbs for K. Warren-Gordon, Nicole Etcheson for S. Zhuk

Members Absent: K. Ajayi, M. Hanley, A. Loudon, S. Rice-Snow, K. Rosenberger, M. Smith, J. Sponseller, B. Wagner, J. Wells

A motion was made and seconded to approve the minutes of February 18, 2016.

The motion carried.

2. Announcements

Items I. A., Next Scheduled Meetings, and I.B. Issue in the Senate System: Policy on Consensual Sexual Relationships were reviewed by the Senate.

3. Committee Reports

- A. Governance and Elections Committee – Karen Kessler, Chairperson. Karen reminded the Senate that elections for executive committee for 2016-17 will take place at the April 28 meeting. If anyone is interested in serving in any capacity on the executive committee, please contact her.
- B. Faculty Council – Andy Beane, Acting Chairperson. Andy reported the Council met on March 3 and passed the Conflict of Interest (COI)/Conflict of Commitment (COC) policy. It will hopefully be on the April senate agenda. The council tabled the drop/add policy period revisions for further work by the Student Government Association. The council will have their elections of executive committee officers at the final meeting of the council on April 7. Please contact him if you are interested in serving.
- C. University Council – Derek Berger, Chairperson. Derek reported the Council will meet on March 24, at 4:00 p.m., in this same room.
- D. Campus Council – Rachel Johnson, Chairperson. Rachel reported the Council met and approved the drop/add policy. Their next meeting is March 31.
- E. Student Government Association – Jack Hesser, President. Jack reported SGA is finishing up the resolution on providing funding for medical testing for sexually transmitted infections. It may not make it through the senate system, but the new officers will make sure there is follow-through with this policy.

4. Report by Chairperson of Senate – Amy Harden (University Senate Agenda, 3/17/16, Enclosure #1)

The membership reviewed the GANTT chart. The issue of per diem reimbursement will be discussed at the April meeting of the Senate. Business Affairs will be present to discuss the issue.

Amy reported on the meeting the Board of Trustees (BOT) on Monday, March 14. Those in attendance were two Board members, the Interim President, the Acting Provost, as well as the leadership of both the Senate and Faculty Council and the two ad hoc committees responsible for their respective resolutions. Ideas were exchanged, opinions given, and, even though there was some disagreement, she saw it as an open dialogue and sincere in terms of how people were listening and reacting. It was a good first step in terms of a different culture and new direction with interactivity with the BOT and University Senate, in particular. She asked if anyone else in attendance at the meeting would like to report.

Andy Beane, Vice Chair and Acting Chair of the Faculty Council, felt it was a good meeting and good topics were brought up from faculty and students. He believed the students did an excellent job in expressing their concerns and opinions. He felt the BOT was truly sincere in listening. They were not necessarily interested in an open forum, but more in having conversations with

all of the campus community. At the meeting he inquired what can we do as faculty/staff, and students to meet the BOT halfway? How can we communicate with them to voice our opinions? They will be thinking about it and are open to the idea.

Darren Wheeler, Secretary of the Faculty Council, reported that Board member articulated several ideas of how they will be immediately supplementing existing lines of communication. They agreed they have not reached out to us, but we have not reached out to them. It was very positive.

Karen Kessler, Vice Chair of the University Senate, said she left the meeting able to return to her department and say it was a fair and honest start. She felt like everyone in the room was honest about their positions. Some things we don't (and probably will never) know. She believes we can either take them at their word, trusting that they want to make this different, or not. Her recommendation to her department was that we were given the opportunity to take them at their word.

Greg Carbo, student member of the University Senate and member of the ad hoc committee on the resolution, felt the group had the opportunity to express their views, and it was very open dialogue between the constituencies. The trustees were very receptive of how we were thinking and feeling.

Bruce Frankel, member of the ad hoc committee on the senate resolution, reported he took them at their word would not changing nor having transparency. They did indicate four initiatives, those being 1) having a better website, 2) announcing board meetings in the daily news, 3) invitations to committee meetings and being open to the public, and 4) during the week of April 18, holding open forums throughout campus for each constituent group (faculty/staff/students) regarding the search for the new president. On the issue of an open process at some point of selecting the next president, they were not willing to change their decision of making it a closed process.

Karen Kessler commented Bruce is correct in that there was no movement in transparency. She argued that if we have a completely open search, we will get lesser candidates. We need a faculty-based candidate and the BOT does not believe we will get the best if we are headhunting at other universities. They have good reasons for not being completely open in the search process.

Darren Wheeler agreed with Frankel's characterization regarding non-disclosure and openness, and agrees with Karen that the trustees gave reasons for the positions they hold. He emphasized to the BOT that the university community would like them to do a better job of articulating why they believe a closed search is best through whatever means they can do that. On the larger discussion of transparency – they need to explain to us why they do the things they do and make it clearer to us why they choose to do things the way they do.

#### 5. Questions Directed to the Interim President

Interim President King reported the following:

- Jen Bott has been appointed Dean of the Miller College of Business
- Those who applied for special assigned leaves for next year were approved by the BOT at their last meeting
- The presidential search committee will be chaired by BOT member Matt Momper. It is in its initial stages and there will be five to seven tenure-line faculty members, as well as representatives from around campus. Open forums for that search will begin the week of April 18. He encouraged them to do this as soon as possible because of the end of the semester, commencement, etc.
- The BOT is beginning a new series at their board meetings where colleges will regularly offer presentations. The College of Fine Arts will be the first. The dean will be making the presentation; however, the entire leadership of the college as well as faculty council/senate representatives from these colleges will be included in this dialogue.

The expected outcomes for the College Presentations to the BOT include:

1. Trustees will understand the scope of each college, including departments, degree programs, enrollments, faculty size, budget overview, degree production, graduation rates, placement rates, etc. (Facts and figures.)
  2. Each college will provide a summary of particular strengths – centers, institutes, clinics, national recognitions, etc. (Good news, successes and brag points.)
  3. Each college will provide a summary of its strategic goals in the context of the university strategic plan (Vision and plans to achieve vision.)
  4. Each college will identify near and long-term challenges and the process or plans to overcome challenges. (Problem solving.)
  5. College leadership and Senate representatives will become better acquainted with members of the Board and the Board's priorities.
- It was also suggested student government leaders should also present once a year. The BOT felt this was also a good idea.
  - Next month's BOT meeting will include the promotion and tenure information.

Interim President King believed the dialogue on Monday went very well. Trustee members Hall and Hughes indicated after the meeting that it was a very good start and would like to see the dialogue continue. He encourages it to continue. Trustee Hall offered the option of a joint resolution between both the BOT and the governance leadership instead of two separate resolutions coming from the faculty council and the university senate.

The following questions were asked of Interim President King regarding the meeting on March 14:

- Were there minutes taken of Monday's meeting and if so, could they be circulated?

*This was an informal meeting; no minutes were taken.*

- In that case, could the group summarize their views of the meeting?

*The thoughts of those attending the meeting will be included in the minutes of today's meeting.*

- Was there a meeting of academic affairs and attended by department chairs?

*Interim President King reported he did not attend this meeting.*

Acting Provost and Executive Vice President of Academic Affairs, Bob Morris, did talk with the Academic Leadership group and was present at today's meeting. He reported he did not tell them to vote in one way but to consider the gravity of the moment. He did not ask them to vote in any certain manner. Dean Michael Maggiotto was present at today's meeting and indicated he was also present at the Academic Leadership group meeting. He indicated Acting Provost Morris said it was a very important issue and to think about it seriously and the factors to be considered. The more conversation, the better. He suggested they return to their departments and make sure senators are informed and are prepared to discuss it and vote at today's meeting, if appropriate.

- This was the first meeting for dialogue with the BOT. What is the second step? Are there further meetings scheduled?

*Interim President King indicated the BOT wanted openness with the open forums, which is what has been done with past president searches. There will be college presentations with the BOT. He suggests continued dialogue with the leadership of the BOT and governance, even during the summer. He expects that to continue. As always, however, it is a two-way street. Both sides must be looking for opportunities for that to happen.*

#### 6. Question and Answer Period

There were no questions.

#### 7. Unfinished Business

There was no unfinished business.

#### 8. New Business

There was no new business.

#### 9. Other Items

##### A. Proposed Resolution (University Senate Agenda, 3/17/16, Enclosure #2)

A motion was made and seconded (Carbo/Frankel) to place on the floor for discussion. The following discussion took place from the membership of the senate:

- A senator recommended not approving either the Faculty Council or Senate resolutions. Sending through this resolution will hurt in the long run rather than help. He expressed the belief that we will hurt our chances of getting a presidential candidate when a potential candidate sees discourse that involves resolutions like the one currently before the Senate. He also expressed the opinion that an open search for a president will result in CEOs and politicians applying, which is not good.
- A motion was made to withdraw the resolution entirely. There was no second to the motion.
- One Senator indicated that underpinnings of the resentment of the faculty and students (to the circumstances surrounding the president's leaving the university) have been there. He expressed that this is a statement that has to officially now go to the BOT and they have to respond to it. He also indicated the belief that there is no credence to the statement that an academic president cannot be acquired with an open search process.
- A student Senator said that this resolution should go forward and this will start the process of open communication.

- A senator indicated that she was resolved to the fact that yes, the students want something done. She looks at this as an opportunity to say something not previously expressed. She indicated dislike in how the issue has been portrayed in the press all week. She expressed an understanding that former President Ferguson had the power to explain the circumstances regarding his departure and has chosen not to.
- A question was asked whether this resolution is already a public document.  
*It is, but if we don't vote on it, or if there is no action taken on it, then it will never have been endorsed by this body.*
- A member of the ad hoc committee on the resolution indicated the term "we don't trust them" was removed from the initial draft of the resolution in an effort to refrain from pointing fingers or assigning blame. This member believes we want something and that this resolution is a good step at a good time, particularly with the upcoming presidential search.
- Another Senate member said that he has served on many searches he believed that many people will not apply for the job if they do not have that confidentiality. He indicated his knowledge of the members of the BOT, several being BSU graduates, and felt that they love this university and they look out for us. They want good things to happen at Ball State. He indicated a strong belief that this resolution is the wrong way to get the things we want done. He indicated having faith that our points have been well-received by the Board and that they want to listen to us.
- One senator indicated he'd vote the wishes of his department. He expressed the opinion that the Trustees have made their positions on the non-disclosure and closed-open searches issues clear and they appear unlikely to change their minds. Passage of the resolution will not change their minds on these issues.
- Another Senator expressed his opinion that the resolution is intended to solve a problem and if it's not going to do that, what do we want it to do? His concern was that once a meeting of opening dialogue took place, how will communication with the BOT continue. We have no guarantee it will continue. He expressed the belief that there should be a middle road which involves both trust in the BOT and a continuation of the dialogue.
- A senator argued that this resolution is not necessary and that the BOT does want to move forward. He supported the idea of the development of a joint resolution between the Board and Senate. He indicated that this resolution more closely resembles a one-sided conversation. It should not be us versus them. He was concerned that if the Senate were to pass this resolution it would likely affect the BOT's interest and desire to move forward together with the senate.
- A senator asked how to get a discussion started with the Board if the Senate were to make a motion to withdraw this resolution and instead pursue a joint resolution with the BOT.
- Interim President King responded that the best way of doing that is to either withdraw or table and then have another motion to say we would ask for the governance leadership to engage with the BOT that results in a joint resolution coming back to this body in a reasonable amount of time.
- The senator agreed that this would force the hand of the BOT and move things forward in a positive manner. There were ideas that came forward from Monday's meeting and the Board reacted immediately to them, especially with student government association included in the presentations scheduled at trustee meetings.
- A Senator inquired about an action plan. What do we hope to accomplish? What is the final goal? Would discussions continue? With those observations, she would feel comfortable supporting this plan.
- One Senate member stated that he was proud of faculty and students for engaging in actions for change. The BOT's desire is to see us move forward, use our common sense, and not get into some bitter, destructive dialogue. He indicated that it doesn't seem right to alienate the people we are going to try to work with on these issues. We have already put the machinery together to move forward. This resolution would be a step backward.
- A senator asked what would we include in an action plan. What would people need? Who would you want to see involved in these conversations? Who do people need to hear from who are involved in these conversations so that it doesn't become a free-for-all, but that people trust they're hearing a level of information that is trustworthy?
- Another Senator offered her opinion that if this resolution went forward, there would be no conversation on Monday. Removing the resolution could possibly see the BOT continuing as status quo, with no communication with university governance. Believes the BOT should make more steps toward openness, more things to make us more secure in our relationship with them.

- One of the student Senators stated that he was in favor of tabling this and not voting for or against it at this point. It is important to have all the information available prior to voting. It would be disrespectful to the entire university community for Senators to vote without all appropriate information.
- J. Fitzgerald made a motion (and it was seconded) to withdraw this resolution. He also requested a paper ballot for the vote. Discussion ensued.
- A motion was offered (Z. Taylor) to table the resolution and return to constituents offering the other options discussed here today. They believed withdrawing the resolution would hurt everyone in the long run.
- A senator suggested having the open conversation with the Board. We started it, we should continue it. He also was of the opinion that the Board was truthful about wanting a joint resolution.
- A student Senator agreed that a joint resolution is needed. This legislation, as it stands now, is not what is best for the university as a whole.
- There was a call for the question.  
A paper ballot was utilized for the motion to withdraw.  
Yes – 29  
No – 30  
The motion failed.
- A motion was made and seconded (Hesser/Fugate) to table the resolution. A paper ballot was utilized to table.  
Yes – 52  
No – 6  
The motion carried.

10. Adjournment

The meeting adjourned at 5:15 p.m.

Respectfully submitted,

Melanie Turner  
Undersecretary

Amy Harden  
Chair, University Senate

/mt



## **Report of the Faculty Athletics Representative to the University Senate**

**To:** University Senate  
Athletics Committee  
Acting Provost Morris  
Acting President King

**Date:** April 14, 2016

**From:** Charlene M. Alexander  
Faculty Athletics Representative

Please accept the following report of activities important to the Mid American Conference (MAC), the NCAA, and our Athletic Department.

### **FAR:**

- Academic Advising continued Baseline Educational Testing for Learning Disabilities and applied for NCAA Innovations Grant. Student Athlete Support Services (SASS) also implemented the new student advising management system, GradesFirst. This system is utilized for student academic progress reports, study table tracking, appointment scheduling and reminders, travel letter distribution and student meeting note management. SASS is now able to send requests to faculty and receive immediate feedback on student progress. SASS reports that the response rate was almost double the University submission rate.
- Continue to serve on the MAC Executive Infractions Committee.
- Attended the NCAA Division 1A FAR meeting in Dallas, TX in September. The meeting focused on gaining a better understanding of Cost of Attendance for student athletes, the incidence of eating disorders in the student athlete populations and efforts by the NCAA to address these issues. Discussion also focused on understanding academic misconduct on college campuses, NCAA guidelines for addressing academic misconduct and the growing attention on identifying best practices regarding the mental health of student athletes.
- SASS took over the instruction of PEP 164 – Life Skills for Student Athletes. This course now has more academic nexus, and focuses directly on the experiences of Ball State Student Athletes.
- SASS staff also began the Athletics CARE TEAM and attended the MAC/NCAA Mental Health Summit.
- Continue to remind faculty of the Ball State University student travel guidelines and accommodations needed for completing exams and missed assignments due to athletic travel.

### **NCAA Topics:**

- The NCAA and the College Athletic Trainer's Society among others have released three guidelines that address independent medical care for college student-athletes, diagnosis and management of sport-related concussion and football practice all guidelines are designed to improve safety for college student-athletes.
- Academic integrity continues to be an area of concern by the NCAA and they are relying on institutions to review academic misconduct policies. The NCAA is also reviewing guidelines for when academic integrity issues will be considered an NCAA violation.

### **MAC Topics;**

- The MAC hosted the first ever MAC/NCAA Mental Health Summit initiated by the MAC Faculty Athletic Representatives, from February 15-16 during Mental Health Awareness Week in Cleveland, OH. The conference focused on finding solutions to mental health issues. Several Ball State athletic administrators and staff were in attendance. Also in attendance was Dr. Brian Hainline, NCAA Chief Medical Officer. Best practices were identified and shared by all programs.

### **Ball State Topics:**

- During the Fall 2015 semester, we had 7 student-athletes with a perfect 4.0 Cumulative GPA and 271 student-athletes with a Cumulative GPA of 3.0 or above.
- Women's Swimming and Diving and Women's Tennis have the highest GPA average among all MAC schools.
- Also, we reviewed MAC data on student course-taking patterns and GPA data by sport and found no areas of concern.
- The University Athletics Committee (UAC) held 4 meetings this year (2 in the Fall and 2 in Spring). Minutes from those meetings have been placed on file with University Senate. The UAC continues to work on ensuring a full roster of faculty representatives from each college, athletics department, student-athletes and professional staff. The committee reviews reports from the Athletic Director, the Gender Equity and Diversity sub-committees, and the FAR.
- This year the athletic department focused on alcohol awareness initiatives and established an alcohol-free tailgating zone and speakers on campus.
- Ball State hired new coaches for field hockey, softball, cross-country track and football. Women's volleyball coach Steve Shondel retired.
- A new football turf was installed last summer and significant updates were made to the Baseball and Softball Arenas. Also, a new scoreboard was hung in Worthen Arena.

### **Ball State Athletics Highlights for 2015-16**

#### **Baseball**

--The Cardinals knocked off No. 6 LSU in Baton Rouge, Louisiana on March 11, 7-1. Catcher Jarett Rindfleisch hit two of the four Ball State home runs in the win over the traditional NCAA baseball powerhouse.

#### **Gymnastics**

--Ball State finished second at the MAC Championships. Five Cardinals qualified for NCAA regional competition on April 2 in Iowa, including senior Denasiha Christian, who won the MAC individual title in vault and floor competition.

#### **Men's Basketball**

--The Cardinals, who won a share of the MAC West division title, made an appearance in a postseason tournament for the first time since 2002.

--Ball State advanced to the quarterfinals of the CollegeInsider.com Tournament (CIT) and finished the season with 21 victories.

--Ball State was the fourth-most improved team in the country when comparing records from 2014-15 to 2015-16 (source: NCAA)

#### **Men's Tennis**

--Head coach Bill Richards was honored in October with the NCAA Bob Frederick Sportsmanship Award for the 2014-15 season. The award is given annually to an NCAA member institution coach or administrator who exhibits a lifelong commitment to sportsmanship and ethical conduct, leading by example and promoting positive fan involvement in and out of competition.

#### **Men's Volleyball**

--Ball State is still competing, but has been ranked as high as No. 8 nationally in the AVCA Coaches Poll. The Cardinals have posted wins over two-time defending NCAA champion Loyola and No. 7 Ohio State.

#### Soccer

--Ball State won the MAC regular season championship for the third time in program history and first time since 2007.

--The Cardinals set the program record for conference wins in a season with 10.

--Lorina White was named the MAC Defensive Player of the Year while Abbie Boswell tallied MAC Freshman of the Year accolades. Five Cardinals earned first team All-MAC honors, which tied a league record.

#### Women's Basketball

--Nathalie Fontaine became the program's all-time leading scorer with 2,166 career points. She was named MAC Player of the Year and earned Associated Press honorable mention All-America accolades.

--Ball State made a postseason appearance in the Women's National Invitation Tournament (WNIT) for the fourth consecutive year. The Cardinals knocked off Big Ten foe Iowa in the opening round, 77-72.

#### Women's Golf

--The Cardinals won the 2016 Bulldog Florida Invitational in March while Kelsey Sear took home individual medalist honors at that event.

#### Women's Swimming & Diving

--Madi Zirzow and Quinn Bixler qualified for the 2016 NCAA Zone C Diving Championships in both the 1m and 3m diving events.

#### Women's Tennis

--The Cardinals are still competing, but are currently riding a 14-match winning streak and have equaled the program's record for wins in a season (17-2).

Revision to Disabled Drive Permit Policy

**DISABLED DRIVER PERMIT** - Any student or employee parking in a disabled-driver space must display a Ball State University disabled driver permit. Paperwork from the Bureau of Motor Vehicles indicating proof that the applicant has been issued a current disability placard or license plate must be presented in order to obtain a Ball State University disabled driver permit.

Any employee who has been issued a Ball State disabled driver permit may park in the disabled driver spaces (with the wheelchair access symbol) in the lot for which they have a parking permit. For example, a yellow faculty/staff permit, must park in the disabled driver spaces in a yellow faculty/staff lot. An R2 permit holder must park in the disabled driver spaces in R2, yellow faculty/staff lots, or green commuter lots.

If any employee needs accommodation outside their designated red lot, they can contact the Office of Parking Services for a permit variance to make those accommodations. If the employee is a yellow permit holder and needs access to a red lot closer to their building, Parking Services will prorate the closest possible red lot for the duration of their need.

Any student who has been issued a Ball State disabled driver permit may park in any space marked with a disability parking sign (with the wheelchair access symbol) in yellow faculty/staff lots, green commuter lots or red restricted lots. Students with blue parking permits may park in any disabled driver space on campus or any regular space in the blue lot their blue permit allows them to park. Freshmen with a stadium parking permit may park in any handicapped parking space on campus, but may not park in a blue lot taking a regular blue space.

There are metered spaces throughout campus with handicapped accommodations for short term parking, but the meters must be paid the same as any other meter on campus.

In accordance with Indiana State law only persons issued Disabled American Veteran (DAV) license plates may park at parking meters without paying the meter.

Temporary disabled driver parking is available to students, faculty or staff. Proper documentation must be presented to the Office Parking Services. These permits are issued for a period not to exceed four (4) weeks. For extensions, students need to contact the Office of Disability Services, SC 116, (285-5293). Faculty and staff need to contact the Health Center (285-8431). Detailed information relative to the condition limiting mobility will be required.

Academic Posting, Volume XLVII-4

New and Revised Programs

Miller College of Business

Department of Management

(New and Pending ICHE Approval) Certificate in Entrepreneurship

College of Sciences and Humanities

Interdepartmental Programs - Social Studies

Teaching Major in Social Studies

Senior High, Junior High/Middle School Education Program

Department of Computer Science

Minor in Computer Science

Department of English

Major in English

License Area in English as a New Language

Department of Geography

(New) Minor in Human Geography

Major in Geography

Department of Geological Sciences

Major in Earth Science

Major in Geology

Department of History

Major in History

Teaching Major in Social Studies

Department of Mathematical Sciences

Master of Arts in Actuarial Science

Masters in Mathematics

Master of Arts in Mathematics

Master of Science in Mathematics

Master in Statistics

Master in Arts in Statistics

Master of Science in Statistics

Certificate in Statistical Modeling

Department of Psychological Science

Master of Arts in Clinical Psychology

Master of Arts in Cognitive and Social Processes

Department of Sociology

Major in Sociology

Teachers College

Department of Educational Psychology

Master of Arts in Educational Psychology

Master of Science in Educational Psychology

EdS in Educational Psychology (School)

Doctor of Philosophy in Educational Psychology (General)

Doctor of Philosophy in Educational Psychology (School)

Department of Elementary Education

Master of Arts in Education, Elementary Education

ISSUES IN THE SENATE SYSTEM, 2015-16

Issues	Committee	Start	End	10 %	20%	40%	50%	60%	70%	80%	90%	100%
<b><i>FACULTY COUNCIL</i></b>												
Telecommuting (On Hold until Fall, 2016)	Salary&Benefits, to Business Affairs	11/19/12 3/19/13										
Issues	Committee	Start	End	10 %	20%	40%	50%	60%	70%	80%	90%	100%
<b><i>UNIVERSITY COUNCIL</i></b>												
Telecommuting	Salary&Benefits to Business Affairs	11/19/12 3/19/13										
Responsible Conduct of Research	Agenda to Research	9/15/14										
Review of Senate System Structure	To G&E	4/14/16										
Issues	Committee	Start	End	10 %	20%	40%	50%	60%	70%	80%	90%	100%
<b><i>CAMPUS COUNCIL</i></b>												
Course Drop/Add Dates	Returned to SGA	1-28-16										
Issues	Committee	Start	End	10 %	20%	40%	50%	60%	70%	80%	90%	100%
<b><i>AGENDA COMMITTEE</i></b>												
Per diem rates	To Business Affairs	11/23/15										
HLC – minimally qualified faculty	Provost’s Office for task force to review	11/23/15 – to G&E										
COI/COC Revisions	Ad hoc committee on FPPH, then to FC and UC	1/11/16 Approved by FC 3/3/16										
Issues	Committee	Start	End	10 %	20%	40%	50%	60%	70%	80%	90%	100%
<b><i>GOVERNANCE AND ELECTIONS</i></b>												
Review of Senate System Structure	From University Council	4/14/16										



**Policy on Conflict of Interest and Conflict of Commitment**  
**Policy Update –Summary of Proposed Changes**  
25 Jan 2016

The Financial Conflict of Interest, Conflict of Interest and Conflict of Commitment policies are in the process of being updated. The following proposed changes are, in large part, the result of Senate Sub-Committee meeting on the Conflict of Interest and Conflict of Commitment policy that was held on December 7<sup>th</sup> of 2015. All the changes have been re-reviewed and approved by the same Senate Sub-Committee that met on January 27<sup>th</sup>, January 29<sup>th</sup>, and February 1<sup>st</sup>. Below is a summarized list of the proposed changes.

**Major Proposed Changes**

- The major volume of changes is an update or deletion of current language that simplifies the policy, incorporates the Office of Research Integrity, or brings the language in compliance with state and federal regulations.
- The policy on Preventing Conflicts of Interest in Government Sponsored Research at Universities and the policy on Conflict of Interest and Conflict of Commitment have been merged into a single policy on Reportable Outside Activities (ROA).
- The standards previously related to Financial Conflicts of Interest for Government sponsored research are now applicable to all sponsored research.
- In most cases, tenured or tenure-track faculty members who work full-time during the Fall, Spring, or Summer semester will not have permission to teach courses at another university. However, in some instances, the Provost will be able to authorize an exception if the department chair, college dean, and the provost determine that the specific request to teach at the other institution will provide a substantial benefit to the University.
- All employees are now required to report any financial interest held by themselves, their spouses or domestic partners, or their children in a University purchase or procurement of goods or services, or in any investment by the University.
- An Outside Activities Officer appointed by the Associate Vice President for Research will administer and implement this policy.
- The OA Officer will have the authority to approve an ROA if clearly authorized by the policy or by guidance documents maintained by the ROA committee. The OA Officer will not have the authority to disapprove a ROA.

- A ROA Committee will be developed to review all ROAs related to Financial Conflicts of Interests related to sponsored research and all ROAs that the OA Officer has recommended for either disapproval or management. Decisions made by the ROA Committee will be final for all purposes.
- A Reportable Outside Activity Form submitted by the President, Provost, any member of the cabinet, any member of the ROA Committee, or any supervisor of the OA Officer will be submitted to the Audit and Compliance Committee of the Board of Trustees.

#### Additional Proposed Changes

- The ROA Committee will consist of the OA Officer as the Chair of the ROA Committee (ex officio), **two** tenured faculty members appointed by the chair of Faculty Council, **one** member appointed by the chair of University Council, **two** members appointed by the Provost, and **a** member from the Office of General Counsel will serve as ex officio. The Faculty Council and the Provost will each appoint one alternate since there is training involved. The ROA Committee has the authority to develop management plans, modify management plans, approve activities and disapprove activities.
- An appeals process will be implemented. Employees who disagree with a denial of a request to engage in Reportable Outside Activities or the imposition of conditions or restrictions on any approval may submit a written appeal to the ROA Committee, whose joint decision on the matter will be final for all purposes.
- Employees who violate this policy by either: (i) engaging in an activity that rises to a conflict of commitment, or (ii) failing to make a complete and accurate disclosure mandated by a state or federal regulation, or (iii) by failing to comply with conditions or restrictions imposed by the Reportable Outside Activities Committee will be referred to the individual's immediate supervisor for appropriate corrective action and/or the Academic Freedom and Ethics Committee (AF&E) of the Faculty Council.
- The Office of Research Integrity and the Outside Activities Officer will institute a regular notification to the campus community; probably once per semester and once in the summer. These notifications will query the reader to determine if they might have a conflict or perceived conflict. If so, they will be linked to the OA Officer for assistance. Additionally, there will be workshops held to assist the campus on the updated policy and procedures, as well as a plug-in to the HR hiring process to educate new employees.
- An Appendix has been added that includes the Indiana law regarding Conflict of Interest, Ghost Employment, and Profiteering from Public Service.



## **Conflict of Interest and Conflict of Commitment Primer**

7 Jan 2016

### **Introduction**

The term “Conflict of Interest” can apply to a number of different types of conflicts determined by federal regulations, state regulations, and university policy. Conflict of Commitment can refer to a number of different topics chosen by the university. The purpose of this primer is to provide a brief overview of the various types of conflicts typically managed by university policies.

### **Research**

#### **Regulatory – Required**

##### Financial Conflict of Interest (FCOI)

All universities that receive Public Health Service (PHS) funding are required to have Significant Financial Conflict of Interest (SFCI) policies in place for federally funded research. When a university applies for a research grant in eRA commons (an NIH Electronic Research Administration application system) the university is required to verify that all individuals listed on the grant application who have investigative responsibilities either have no conflicts to report or that an adequate management plan has been established.

Universities are able to provide this verification by requiring all investigator participants listed on a grant to complete a form that requires participants to list all financial interests of over \$5,000 that reasonably appear to be related to the investigator’s “Institutional responsibilities.” Once the interests are disclosed it is the responsibility of the university to decide if any of the disclosures are reasonably related to the PHS-funded project. If so, the university is responsible for developing a management plan and submitting it with the proposal. Once the grant is funded the disclosures that have been determined to be reasonably related to the project must be made available to the public on the university’s website.

*This program is currently being managed by the Office of Research Integrity.*

#### **Institutional – Optional**

##### Conflict of Interest (COI)

This term is defined at a university level. It usually refers to financial conflicts of interests for non-PHS funded grants. Non-PHS funders will occasionally require conflicts of interest to be disclosed and most universities consider disclosures for sponsored projects to be a best practice. It is common for universities to mirror the SFCI policy for the COI policy. However, it is possible to change the standard of reporting (ex. from “reasonably appears to be related to

university responsibilities “to reasonably related to the sponsored project”) or the monetary threshold for reporting (ex. \$5,000 to \$10,000).

*This program is currently being managed by the Office of Research Integrity.*

## **Administration**

### **Regulatory (Required)**

#### **Pecuniary Interests; a.k.a IN Conflict of Interest (COI) Statute**

A public servant who knowingly or intentionally has a pecuniary interest in or derives a profit from a contract or purchase connected with an action by the government entity served by the public servant commits a conflict of interest, a Level 6 felony, unless otherwise excepted.

All university employees are considered “public servants” for purposes of this statute.

#### **Indiana Ghost Employment Law**

A state officer, employee or special state appointee shall not engage in, or direct others to engage in work other than the performance of official duties during working hours, except as permitted by general written agency, departmental or institutional policy or regulation.

All university employees are considered state employees for the purpose of this statute.

*These programs are currently being managed by the Office of Business and Auxiliary Services and the Provost’s Office (academic issues).*

### **Institutional (Optional)**

#### **Anti-Nepotism**

Anti-Nepotism policies address potential conflicts that may arise when a university employee has influence over the hiring, promotion, assignment of duties, or other responsibilities regarding a family member. These policies outline procedures to eliminate conflicts.

*This program is managed by the University Vice President (officer) superior to the person whose conduct is in question.*

#### **Consensual Sexual or Romantic Relationships**

Consensual Sexual and Romantic Relationships policies are intended to protect all employees and the integrity of the university academic and work atmosphere. When individuals are in positions of unequal power there is the potential for favoritism, bias, and exploitation. These policies outline procedures for managing and mitigating the impact of these personal relationships on the employment environment.

*This program is managed by the Office of General Counsel.*

#### **Conflict of Commitment (COC)**

Conflict of Commitment policies are intended help employees manage and balance their primary obligations to the university with valuable outside professional activities that have the potential to benefit both the employee and promote the mission of the university. These policies can be applied to any university employee or be specific to types of employees (ex. faculty, professional staff, exempt staff, non-exempt staff and service employees).

These policies are capable of covering the following topics:

- Teaching at other institutes of higher education (on-site and on-line);
- The amount of time spent on outside professional, charitable, or community activities;
- The use of university resources for outside professional activities;
- The use of graduate students or staff for outside professional activities;

- Unfair access by an outside party to university programs, services, information or technology;
- Selection of an entity as a University vendor by an individual who has a personal or economic interest in that entity or other actions that may compromise university priorities for personal financial gain

*This program is currently being managed by the Office of Research Integrity.*

#### Employee Financial Conflict of Interest

Employee Financial Conflict of Interest policies are intended to ensure that members of the university community do not engage in behaviors that risk compromising the university's reputation and integrity. Financial conflicts of interest especially may corrode the university's reputation and, thereby, erode confidence in the university and diminish its trustworthiness and stature. Disclosure and management of these interests allows universities an opportunity to mitigate risk. These policies can be applied to any university employee or be specific to types of employees (ex. faculty, professional staff, exempt staff, non-exempt staff and service employees).

*This program is currently being managed by the Office of Research Integrity.*

**POLICY ON REPORTABLE OUTSIDE ACTIVITIES CONFLICT OF INTEREST AND CONFLICT OF COMMITMENT<sup>47</sup>**

*This policy replaces the previous “POLICY ON CONFLICT OF INTEREST AND CONFLICT OF COMMITMENT.”*

**I Preamble**

1. Ball State University is committed to providing quality teaching, research, and service. Often, this mission is served by the active participation of its employees in activities outside the University. Interaction with business, government, not-for-profit groups, professional societies, academic institutions, and private individuals or organizations contributes to the professional growth of employees and to the enrichment of University programs. University employees are therefore encouraged to share their professional knowledge and expertise through outside activities that do not interfere or compete with their University responsibilities.
2. While such interaction is encouraged, an employee's professional or other activities outside the University may result in a real or perceived conflict with the **Employee's University Responsibilities**. ~~of interest or conflict of commitment.~~ These conflicts can arise in the form of (1) a Conflict of Commitment, (2) an Employee Financial Interest, and/or (3) Significant Financial Conflicts of Interest when engaging in Sponsored Projects. Each type of conflict has the potential to affect the way in which the employee carries out his or her University responsibilities and create an adverse impact on the University's mission or undermine public confidence in the University. ~~may affect the way in which the employee carries out his or her University responsibilities. Conflicts of interest or conflicts of commitment may also adversely impact the University's mission, and they may undermine public confidence in the University.~~ It is therefore necessary to assess and to eliminate or manage conflicts of interest and conflicts of commitment, so that the integrity and the interests of the University, as well as those of its employees, are protected.
3. The purpose of this policy is to ensure that all conflicts are disclosed and properly managed through a University-wide procedure for the disclosure of all Reportable Outside Activities (ROAs) and the management of any activities that may rise into actual or perceived conflicts provide guidance for recognizing and dealing with actual or potential conflicts of interest and conflicts of commitment. ~~It sets forth University-wide procedures for disclosing and resolving such conflicts.~~ Colleges, departments and other administrative units may adopt additional policies and procedures covering conflicts of interest and conflicts of commitment provided they are consistent with the provisions of this policy. All such policies and procedures must be approved by the **ROA Committee following review by the Outside Activities (OA) Officer President**, ~~following review by the policy coordinator for consistency with this policy.~~ In no way should this policy be interpreted or implemented so as to infringe upon matters of academic freedom, freedom of speech or political expression (Bill of Rights and Responsibilities for Faculty, Professional Personnel, and Staff of Ball State University, page ix, Faculty and Professional Personnel Handbook).
4. Nothing in this policy shall be construed to permit, even with disclosure, any activity prohibited by law.

5. ~~The Appendix to this Policy lists other University policies that deal with related issues.~~

## II General Definitions

1. General Definitions related to Conflicts of Interest:
- 1.1. Reportable Outside Activities (ROAs) are any external activities, professional activities, or Employee Financial Interests preformed or held outside of the employee's University Responsibilities that must be disclosed to the University under this Policy.
- 1.2. "University Responsibilities" are the responsibilities of a University employee to perform University activities as defined by a University or administrative unit policy or contract.
- 1.3. An "Employee" is any person employed by the University, whether full or part-time; except that the term does not include student employees other than graduate students.
- 1.4. The "Reportable Outside Activities Form" or ROA Form is the form used to disclose all ROAs.
- 1.5. The "Outside Activities Officer" or OA Officer is the individual appointed by the Associate Vice President for Research to coordinate the implementation and administration of this Policy, maintain appropriate records, and provide expertise for the identification, disclosure and resolution or management of conflicts and serve as the *ex officio* Chair of the ROA Committee. ~~of interest and conflicts of commitment.~~
- 1.6. A "Dependent" of an Employee includes: (a) the Employee's spouse or qualified same-sex domestic partner; (b) a child, stepchild, or adoptee of the Employee who is unemancipated and less than eighteen years of age; and (c) any person, whether or not related to the Employee, who receives more than one-half of his or her annual support from the Employee.
- 1.7. The "University" refers to Ball State University.

## III Reportable Outside Activities Related to Conflicts of Commitment

1. Definitions Related to Conflict of Commitment
- 1.1. A "Conflict of Commitment" arises when a University Employee's activities outside of the University affect—or appear reasonably likely to affect—the manner or extent to which the Employee carries out his or her University Responsibilities.
- 1.2. "External Activities" ~~"Activities outside of the University" and "outside activities"~~ are activities not directly related to the research, teaching and service mission of the University.
- 1.3. "Professional Activities" are activities related to the research, teaching, and service mission of the University or to an employee's discipline, profession or craft, irrespective of whether those activities are compensated or constitute University activities.

- 1.4. "University Activities," ~~by contrast~~, are activities directly related to the research, teaching and service mission of the University.

NOTE: The line separating "University Activities" and "~~activities outside of the~~ "External Activities" ~~for faculty~~ is imprecise at best and may differ among disciplines and professions. One useful guideline ~~for faculty~~ is the question: is this an activity ~~an employer faculty member~~ would consider during an employee's list on his or her annual review. ~~faculty report for which he or she would expect to receive credit during the tenure, promotion, and/or salary setting processes.~~

2. Principles and Application Related to Conflict of Commitment

- 2.1. Right to Engage in External Activities Outside of the University. A University Employee may engage in External Activities outside of the University, provided that those activities do not constitute a Conflict of Commitment under this Policy. Employees should complete the ROA Form and receive written approval before the activity may begin. ~~interfere with the the employee's performance of his or her University responsibilities or otherwise constitute a conflict of interest.~~

Examples of Activities that may, depending on the facts and circumstances, constitute such a Conflict of Commitment include, but are not limited to, the following: (i) activities of the Employee which advance his or her own financial, professional, or other interests, or those of a Dependent, to the detriment of the University; ~~(ii) teaching by a full time faculty member at another educational institution, including teaching through the Internet;~~ (ii) utilizing University students, employees, facilities or materials in the pursuit of ~~outside~~ External Activities from which the University will derive no benefit; and (iii) engaging in research or consulting activities that interfere or compromise the Employee's execution of his or her University Responsibilities. (See also 2.3 below.)

- 2.2. This Section III sets forth ~~three~~ four basic principles applicable to all conflicts of commitment: ~~outside activities:~~

- 2.2.1. University Employees are permitted and encouraged to engage in External Activities ~~those~~ to the extent that they do not interfere with the Employees' University Responsibilities.
- 2.2.2. Employees may not use University resources in the performance of External ~~outside~~ Activities without reimbursing the University and obtaining appropriate permission.
- 2.2.3. The limits on collegiate, departmental and other administrative unit policies are: (a) they may not interfere with the University's policy permitting full-time faculty to spend an average of up to one day each week on Professional Activities, but not necessarily University Activities; and (b) they may not substitute a 20% of compensation rule for the one-day-per-week policy or add such a rule to the policy.

- 2.3. Teaching at Other Academic Institutions In most cases, tenured or tenure track faculty members who work full-time during the Fall, Spring, or Summer semester may not teach courses at another educational

institution, including on-line courses. However, in some instances, tenured or tenure-track faculty members who work full-time during the Fall, Spring, or Summer semesters may be allowed to teach at another educational institution if, the Provost, department chair/director, and college dean determine that the facts and circumstances of the specific request provide a substantial benefit to the University. In those instances, the Provost will provide a written exception which will be made available to the ROA Committee. There is no appeal available regarding any decision made by the Provost.

Full-time professional personnel have different University Responsibilities than full-time faculty and teaching courses at another educational institution may, in certain circumstances, not constitute a conflict for professional personnel. Such activities must be disclosed and reviewed consistent with this Policy.

~~The reference in Section III(3) to "Full-time" faculty reflects the conclusion that University policy need not provide that part-time faculty be permitted at least one day each week to engage in Professional Activities outside of the University, because University policy does not, and should not, place any limit on the time that part-time faculty spend on outside activities. Part-time faculty and part-time professional personnel, however, are subject to Sections III 2.2.1 and 2.2.2 III(1) and (2) and the other sections of this Policy.~~

- 2.4. External Outside Professional Activities of Full-time Faculty. ~~Tenured or Tenure-track faculty members who work full-time during the Fall, Spring, or Summer semester Full-time faculty~~ shall be permitted to spend an average of up to one day a week on professional activities which advance the public and institutional mission of the University ~~other than University activities~~, provided that those activities do not otherwise constitute a conflict of interest this Policy.

- 2.5. Use of University Resources. No Employee shall use University resources in the performance of ~~outside External~~ Activities without the permission of his or her dean or administrative unit head and without reimbursing the University.

- 2.6. Income From Outside Activities Not a Factor. An Employee's compliance with this Section III or with any other University or administrative unit policy on conflicts of commitment shall not be determined on the basis of income earned from outside activities or the percentage of the employee's University compensation that such income constitutes, unless required by law.

NOTE: All Employees are subject to the Indiana law on "Ghost Employment" which can be found in the Appendix to this Policy. All University Employees are considered "public servants" for the purposes of this law. It is the responsibility of the Employee to ensure that he or she is in compliance with this law. A violation of this law is a Level 6 Felony, punishable by imprisonment for 1½ years and a fine of not more than \$10,000.

~~5.3 Issues relating to these activities should be resolved within the lowest~~

~~administrative unit whenever possible.~~

**IV. Reportable  
Outside Activities  
Related to  
Employee  
Financial Interests  
Conflicts**

1. Definitions Related to Employee Financial Interests

- 1.1. “Employee Financial Interest” means any interest that will, could, or is intended to lead to a profit or an ascertainable increase in the income or net worth of an Employee or a Dependent. Such a profit or increase in income or net worth could be realized through the receipt of anything of monetary or potential monetary value, including, payments of any kind, but not limited to:
- a) Compensation for services, including consulting fees, commissions, honoraria, fringe benefits, non-university salary, and similar items;
  - b) Dividends, distributions, and any equity interest;
  - c) Paid authorships and royalties; or
  - d) An increase in the value of real estate, equity interest or intellectual property rights.

2. Principles and Application Related to Employee Financial Interests

- 2.1. Considerations of personal gain must not influence the decisions or actions of individuals in discharging their University Responsibilities. Such incentives might result in a perception of impropriety, actions detrimental to the university, or a violation of law.
- 2.2. Employees must disclose any known Employee Financial Interest he, she, or a Dependent has in a University Activity or transaction. Required disclosures include, but are not limited to, Employee Financial Interests either held directly or indirectly by themselves or by their Dependents in:
- a) a University purchase or procurement of goods or services (e.g. through an interest in a vendor or other entity that may benefit financially from a University purchase or procurement), or in
  - b) any contract, loan, or investment by the University (e.g. stock investments, ownership or control in a University spin-off company).
- These disclosures must occur regardless of whether or not the Employee has any role or influence in the University purchase, procurement, or investment. (See Section VII, below, for disclosure procedures.)
- 2.3. Any Employee Financial Interest arising solely by means of investment in a mutual fund, pension, or other institutional investment fund over the management and investments of which the employee does not exercise control is not considered a ROA or an employee’s University salary.

NOTE: Royalties or other commissions gained as personal profit from the assignment of text books or other materials to students are considered an ROA. This policy does not bar faculty from assigning their own works to students. It ensures that assignment decisions are not compromised by the appearance of impropriety while protecting students and not imposing on the freedom of

faculty members to choose which materials to assign their students.

NOTE: All Employees are subject to the Indiana laws on "Conflict of Interest;" and "Profiteering from Public Service," which can be found in the Appendix to this Policy. All University Employees are considered "public servants" for the purposes of these laws. It is the responsibility of each public servant – not the University or its representatives – to determine whether he or she is required to make a disclosure under the Conflicts of Interest Law and, if he/she determines that such a disclosure is necessary, to make it in a timely and proper manner. Violation of this law is a Level 6 Felony, punishable by imprisonment for 1½ years and a fine of not more than \$10,000.

1.7.1. ~~A "conflict of interest" exists when a University employee is in a position to influence, either directly or indirectly, University business, research or other decisions in matters in which the employee or a dependent of the employee has a significant financial interest.~~

~~1.1 A "significant financial interest" means anything of monetary value, including but not limited to, salary or other payments for services (e.g., consulting fees or honoraria); equity interests (e.g., stocks, stock options or other ownership interests); and intellectual property rights (e.g., patents, copyrights and royalties from such rights). The term does not include:~~

~~1.21 salary, royalties or other remuneration from the University;~~

~~1.22 income from seminars, lectures or teaching engagements sponsored by public or nonprofit entities;~~

~~1.23 income from service on advisory committees or review panels for public or nonprofit entities;~~

~~1.24 an equity interest that, when aggregated for the employee and the employee's dependents, meets both of the following tests: (a) it does not exceed \$10,000 in value as determined through reference to public prices or other reasonable measures of fair market value; and (b) it does not represent more than a five percent ownership interest in any single entity;~~

~~1.25 salary, royalties or other payments that, when aggregated for the employee and the employee's dependents over the next twelve months, are not reasonably expected to exceed \$10,000; or~~

~~1.26 any financial interest arising solely by means of investment in a mutual, pension, or other institutional investment fund over the management and investments of which the employee does not exercise control.~~

Note that ~~This definition of "significant financial interest" differs from the definition of "pecuniary interest" under the Indiana Conflicts of Interest Law.~~

**V. Reportable  
Outside Activities  
Related to  
Sponsored Projects**

1. Definitions Related to Significant Conflict of Interest in Sponsored Projects
  - 1.1. “Sponsored Projects” are any projects that receive funding external to the University.
  - 1.2. “Financial Interest” means anything of monetary value, whether or not the value is readily ascertainable.
  - 1.3. “Financial Conflict of Interest” (FCOI) means a significant financial interest that could directly and significantly affect the design, conduct, or reporting of projects.
  - 1.4. “Investigator” means the project director or Principal Investigator and any other person, regardless of title or position, who is responsible for the design, conduct, or reporting of research, which may include, for example, collaborators or consultants.
  - 1.5. “Significant Financial Interest” means a Financial Interest consisting of one or more of the following interests of the Investigator and/or Dependent that reasonably appears to be related to the Investigator’s institutional responsibilities:
    - 1.5.1. With regard to any publicly traded entity, a *significant financial interest* exists if the value of any remuneration received from the entity in the twelve months preceding the disclosure and the value of any equity interest in the entity as of the date of disclosure, when aggregated, exceeds \$5,000. For purposes of this definition, remuneration includes salary and any payment for services not otherwise identified as salary (e.g., consulting fees, honoraria, paid authorship); equity interest includes any stock, stock option, or other ownership interest, as determined through reference to public prices or other reasonable measures of fair market value;
    - 1.5.2. With regard to any non-publicly traded entity, a *significant financial interest* exists if the value of any remuneration received from the entity in the twelve months preceding the disclosure, when aggregated, exceeds \$5,000, or when the Investigator (or the Investigator’s spouse or dependent children) holds any equity interest (e.g., stock, stock option, or other ownership interest); or
    - 1.5.3. With regard to Intellectual property rights and interests (e.g., patents, copyrights), upon receipt of income related to such rights and interests.
    - 1.5.4. Investigators also must disclose the occurrence of any reimbursed or sponsored travel related to their University responsibilities; provided, however, that this disclosure requirement does not apply to travel that is reimbursed or sponsored by a Federal, state, or local government agency, an Institution of higher education, an academic teaching hospital, a medical center, or a research institute that is affiliated with an Institution of higher education.
2. Principles and Application Related to Sponsored Projects
  - 2.1. The University is dedicated to maintaining the public’s

trust and upholding the highest ethical standards in all research and other externally sponsored projects. As of August 24, 2012 federal regulations, Responsibility of Applicants for Promoting Objectivity in Research for which Public Health Service (PHS) Funding is Sought (42 C.F.R. Part 50, Subpart F) and Responsible Prospective Contractors (45 C.F.R. Part 94), updating the 1995 regulations governing financial conflicts of interest in federally funded research were enacted. These regulations require PHS funded research project Investigators and their teams disclose all Significant Financial Interests for institutional review and management.

- 2.2. The University requires that all investigators disclose all Significant Financial Interests for all sponsored projects, both PHS funded and non-PHS funded projects. The University's Policy and Procedures on Significant Financial Conflicts of Interest in Sponsored Projects is available on the Office of Research Integrity's website.

NOTE: In some cases, sponsors may require additional or more restrictive disclosures for investigators. In those cases, Investigators are required to disclose this additional information as well.

## VI Obligation to Identify and Disclose ROAs

1. University Employees share an obligation to conduct their professional activities in a manner consistent with the University's mission and to conduct their relationships with each other and with the University with candor and integrity. Pursuant to that obligation, Employees have a responsibility to identify and disclose all ROAs. Employees will work with the appropriate University officials to ensure that no activity rises to a conflict and to manage and resolve potential conflicts before they occur. ~~when possible, avoid conflicts of interest and conflicts of commitment. When they cannot be avoided, employees must disclose conflicts of interest and conflicts of commitment, and they must work with University officials to manage or resolve those conflicts.~~

## VII Procedures for Disclosing and Managing ROAs Conflicts

1. ROA Submissions ~~Obligation to Disclose Conflicts of Interest and Conflicts of Commitment:~~

It is the responsibility of each employee to promptly and prospectively disclose a ROA by completing and submitting the ROA Disclosure Form. ROAs related to Conflict of Commitment and Employee Financial Interests should be submitted by all Employees as activities are being considered and before they commence. ROAs related to Sponsored Projects must be disclosed during the project clearance process. Additionally, investigators must re-submit a ROA Form at least annually or before engaging in a new ROA throughout the duration of the project. If the department chair/director or other supervisor or the college dean or next level supervisor recognizes that an employee has not submitted a ROA Form then the OA Officer can be contacted to assist. ~~conflict of interest or a conflict of commitment involving the affairs or activities of that employee.~~

2. Reportable Outside Activities ~~conflicts:~~ Procedure for disclosing

- 2.1 Relating to Conflicts of Commitment

The employee must complete and file the ROA form with his or her department chair/director or other supervisor, after consulting with the employee, may approve or disapprove the activity so long as the decision is consistent with this Policy. If the activity is approved the department chair/director or other supervisor must submit the form to the college dean or other next level supervisor. The college dean or other next level supervisor may approve or disapprove the activity so long as the decision is consistent with this Policy. If the activity is approved by the dean or other supervisor it must then be submitted to the OA Officer. The OA officer may approve the ROA if clearly authorized by this Policy or by guidance documents maintained by the ROA committee.

#### *OA Officer Support*

If the OA Officer determines that the case requires a management plan then the OA officer will work with the employee to develop a management plan and submit the plan to the ROA Committee for a final determination. If the OA Officer determines that the ROA should be disapproved then the recommendation will be sent to the ROA Committee for a final decision

NOTE: Only ROA Forms that have been approved by the department chair/director or other supervisor, or the college dean or next level supervisor must be sent to the OA Officer. Employees interested in submitting an appeal should review VII(4) of this section.

~~To disclose a conflict of interest or conflict of commitment, the employee must complete and file the disclosure form with his or her department head or other supervisor. If the employee is uncertain about his or her disclosure obligation, the employee should review the circumstances with his or her department head or other supervisor prior to making a formal disclosure. In such cases, the department head or other supervisor should then discuss the situation with the policy coordinator. If the department head or other supervisor and the policy coordinator agree that no conflict of interest or conflict of commitment exists, then no formal disclosure is required; however, the policy coordinator should maintain a record of the substance of his or her discussion with the department head or other supervisor. In all other cases, the employee should complete the disclosure form and submit it to his or her department head or other supervisor.~~

#### 2.2 Relating to Employee Financial Interests and Significant Financial Interests in Sponsored Projects:

The Employee must complete and file the ROA Disclosure Form with his or her department chair/director or other supervisor. The department chair/director or other supervisor must submit the form to the college dean or other next level supervisor. The college dean or other next level supervisor must submit the ROA form to the OA Officer. The OA officer may approve the ROA if the decision is clearly authorized by federal regulation 42 C.F.R. Part 50, Subpart F; the sponsor's conflicts requirement; the University's Policy and Procedures on Significant Financial Conflicts of Interest in Funded

Research; or by guidance documents maintained by the ROA Committee.

#### *OA Officer Support*

If the OA Officer determines that the case requires a management plan then the OA officer will work with the employee to develop a management plan and submit the plan to the ROA Committee for a final determination. If the OA Officer determines that the ROA should be disapproved then the recommendation will be sent to the ROA Committee for a final decision.

NOTE: All ROA Forms related to Significant Financial Interests in Sponsored Projects and Employee Financial Interests must be submitted to the OA Officer regardless of the comments provided by the department chair/director or other supervisor or the college dean or next level supervisor.

#### 2.3

##### OA Officer Assistance:

Notwithstanding the above, any University employee who is unsure whether he or she has a disclosure obligation or who has other questions about the policy's application may request advice directly from the ~~OA Officer policy coordinator~~ without being required to disclose his or her name or identifying details concerning a potential ROA. A college, department or other administrative unit may also request advice from the ~~OA Officer policy coordinator~~ about a potential conflict of interest or conflict of commitment, providing no more identifying information than is necessary for such purpose except as required by law or University policy.

~~Procedure for assessing, eliminating or managing conflicts: The department head or other supervisor, after consulting with the employee, should: (i) sign the disclosure form and, where possible, include written recommendations of conditions or restrictions which might be used to manage, reduce or eliminate the actual or perceived conflict, and (ii) forward the disclosure form to the dean or appropriate official for written endorsement and/or comment.~~

~~The disclosure form, along with the recommendations of how the conflict can be managed, reduced or eliminated, should then be submitted to the policy coordinator. If the policy coordinator determines that the proposed resolution or management of the conflict is consistent with applicable University policies, including additional college, department, or other administrative unit policies, if any, the policy coordinator will add his or her written endorsement and/or comments and forward the disclosure form to the President for final approval.~~

#### 3.

##### Reportable Outside Activities

Committee: The ROA Committee will consist of the OA Officer as the Chair of the ROA Committee (ex. officio), two tenured faculty members appointed by the Faculty Council, one member appointed by the chair of University Council, two members appointed by the Provost, and a member from the Office of General Council (ex officio). The Faculty Council and the Provost will each appoint one member to serve as an alternate. The ROA committee has the authority to develop management plans, modify management plans, approve activities and disapprove activities. The employee has the right to appear before the committee, and/or to provide additional information. Also, the committee may request additional information from the employee and others to aid it in making its findings and recommendations.

Examples of measures that, depending on the facts and circumstances, might be used to manage or resolve conflicts include: (i) [approval](#); (ii) monitoring of the outside activity by an independent reviewer; (iii) disqualifying the employee from participating in decisions that might affect the employee's financial interests; (iv) divestiture of the financial interest which creates the conflict; and (v) [implementation of a limitation](#) or severance of any relationships that create the actual or potential conflict.

4. [Reporting to the Board of Trustees](#): A ROA Form submitted by the President, Provost, any member of the cabinet, any member of the ROA Committee, or any supervisor of the OA Officer will be submitted to the Audit and Compliance Committee of the Board of Trustees. The Audit and Compliance Committee may consult with the rest of the Board of Trustees or any person the committee deems appropriate in order to determine if the requested Reportable Outside Activity would create a conflict. Written notice of the decision will be provided to the Employee.

5. [Appeals Procedure](#): Employees who disagree with a denial of a request to engage in a Reportable Outside Activity or the imposition of conditions or restrictions on any management plan may submit a written appeal to the OA Officer who will work with the Employee, the department chair/director or other supervisor and the college dean or next level supervisor to develop an initial or alternate management plan. The management plan will then be submitted to the ROA Committee, whose decision on the matter will be final for all purposes. The employee has the right to appear before the committee and/or to provide additional information. Also, and the committee may request additional information from the employee and others to aid it in making its findings and recommendations.

~~Procedure for resolving disagreements: If agreement for managing or resolving the conflict is not obtained among all of the parties participating in the procedures under Section V(3), the policy coordinator will convene an ad hoc advisory committee to review the facts and circumstances and recommend a solution. This committee will consist of a representative appointed by the dean or comparable official, a representative appointed by the chairperson of the Academic Freedom and Ethics Committee, and a third member appointed by the Provost and Executive Vice President for Academic Affairs who will act as chairperson. The policy coordinator will serve as a non-voting ex officio member. The employee has the right to appear before the committee, and/or to provide additional information. Also, the committee may request additional information from the employee and others to aid it in making its findings and recommendations. The written findings and recommendations of the committee will be forwarded to the President who will make the final decision on the matter.~~

6. [Administration and record-keeping](#): The ~~policy coordinator~~ [OA Officer](#) will administer this policy and maintain records of all filed disclosure forms and associated documents, including, but not limited to, documentation of actions taken by University administrators and committees to eliminate, reduce and/or manage conflicts of interest or conflicts of commitment. All such records will be retained for a period of three years following completion or termination of the activity that prompted the filing of the disclosure form. All employees who file disclosure forms under this policy shall update the information promptly if the circumstances that caused the filing of the disclosure change. ~~and shall notify the policy coordinator within~~

~~thirty days following the cessation of the activity.~~

7. Enforcement: Employees who violate this policy by either: (i) ~~failing to make a required disclosure of engaging in a ROA that rises to a conflict~~ a conflict of interest or a conflict of commitment, or (ii) ~~failing to make a disclosure mandated by a state or federal regulation, or (iii) by failing to comply with conditions or restrictions imposed by the ROA~~ Committee will be referred to the individual's immediate supervisor for appropriate corrective action and/or to the Academic Freedom and Ethics Committee (AF&E) of the Faculty Council. If the violation involves a government- funded sponsored program or project, the University may be obligated under federal, state, or local law to report any corrective action taken.

~~NOTE: The Appendix and Attachments to the policy are available in the departmental offices or the Sponsored Programs Office.]~~

**VIII. Performing Outside Services Activities<sup>48</sup>**

1. **Indiana Ghost Employment Law** – The Indiana Ghost Employment law, with a limited exception which is set forth below, makes it a criminal and civil law offense **Activities<sup>48</sup>** for Ball State University to employ and pay an employee when that employee is not assigned duties or is assigned duties not related to the operation of the University. Both the supervisor and employment may be subject to criminal and civil penalties for such violations.
2. **Exception to the Indiana Ghost Employment Law** – The Indiana Ghost Employment Law does permit an employee of a governmental entity, such as Ball State University, to voluntarily perform services during the normal hours of employment as long as those services do not:
  - 2.1 Promote religion,
  - 2.2 Attempt to influence legislation or governmental policy, or
  - 2.3 Attempt to influence elections to public office;And, the services may only occur:
  - 2.4 For the benefit of another governmental entity or a not-for-profit organization exempt from taxation under IRC 501(c)(3),
  - 2.5 With the approval of the employee's supervisor, and
  - 2.6 In compliance with a written policy approved by the governmental entity.
3. **Outside Services Activities of Employees** – Employees may be permitted to perform one or more outside services activities provided that such activities conform to this policy and do not otherwise constitute a conflict of interest or commitment. Employees may be permitted to spend up to a total of Four Hundred and Sixteen (416) university compensable hours in a fiscal year in performing outside services activities for a governmental entity or one or more 501(c)(3) not-for-profit organizations as determined in the sole discretion of and with the prior approval of the employee's supervisor. In the administration of this policy the University may take any measures in its sole discretion which are reasonable and necessary for the orderly and efficient operation of its business, including but not limited to altering or terminating the outside services activities that have been approved. An employee who performs the university approved outside services activities during normal hours of employment as provided herein shall be considered to be performing duties related to the operation of the University.
4. **Administration and Record-Keeping** – It is the responsibility of the employee to keep a record of the time spent on outside services activities and it is the supervisor's responsibility to oversee the employee's record-keeping and to ensure that such records are maintained for audit purposes.
5. **Exceptions**
  - 5.1 The President shall determine the limitation on the total time during any fiscal year and any record keeping requirements that the President and members of the President cabinet may spend on performing outside services activities.

- 5.2** It is anticipated that employees in professional and faculty positions will be asked to serve on particular outside boards because of their University related areas of expertise or the offices or positions they hold. “Outside Board” means the board, council, or other governing or advisory body of a business, educational, civic, professional, or social organization, whether for-profit or not-for-profit. Service on an Outside Board is of particular value to the University and is actively encouraged because of the recognition it provides to the University, and the additional information, exposure, understanding, and insight the person will receive. This service is deemed to be service to the University and need not require the use of a person’s own time. This service is considered to be a duty or duties related to the operation of the University. The conflict of interest and commitment policies still apply to any service on an Outside Board.
- 5.3** The service of officials elected or appointed to public office is not included in the definition of service on an Outside Board and such officials are not eligible to perform the duties of their office during University compensable time under this policy.

#### EMPLOYEE BENEFITS

Employee benefits other than salary are explained in the [Benefits Handbook](#).

**APPENDIX TO THE POLICY ON REPORTABLE OUTSIDE ACTIVITIES**

*Ball State University Employees are considered "public servants" under these statutes.*

**Ghost employment**

Sec. 3. (a) A public servant who knowingly or intentionally:

**IC 35-44.1-1-3** (1) hires an employee for the governmental entity that the public servant serves; and  
(2) fails to assign to the employee any duties, or assigns to the employee any duties not related to the operation of the governmental entity;  
commits ghost employment, a Level 6 felony.

(b) A public servant who knowingly or intentionally assigns to an employee under the public servant's supervision any duties not related to the operation of the governmental entity that the public servant serves commits ghost employment, a Level 6 felony.

(c) A person employed by a governmental entity who, knowing that the person has not been assigned any duties to perform for the entity, accepts property from the entity commits ghost employment, a Level 6 felony.

(d) A person employed by a governmental entity who knowingly or intentionally accepts property from the entity for the performance of duties not related to the operation of the entity commits ghost employment, a Level 6 felony.

(e) Any person who accepts property from a governmental entity in violation of this section and any public servant who permits the payment of property in violation of this section are jointly and severally liable to the governmental entity for that property. The attorney general may bring a civil action to recover that property in the county where the governmental entity is located or the person or public servant resides.

(f) For the purposes of this section, an employee of a governmental entity who voluntarily performs services:

- (1) that do not:
  - (A) promote religion;
  - (B) attempt to influence legislation or governmental policy; or
  - (C) attempt to influence elections to public office;
- (2) for the benefit of:
  - (A) another governmental entity; or
  - (B) an organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code;
- (3) with the approval of the employee's supervisor; and
- (4) in compliance with a policy or regulation that:
  - (A) is in writing;
  - (B) is issued by the executive officer of the governmental entity; and
  - (C) contains a limitation on the total time during any calendar year that the employee may spend performing the services during normal hours of employment;

is considered to be performing duties related to the operation of the governmental entity.

*As added by P.L.126-2012, SEC.54. Amended by P.L.158-2013, SEC.498.*

**Conflict of interest**

Sec. 4. (a) The following definitions apply throughout this section:

**IC 35-44.1-1-4**

(1) "Dependent" means any of the following:

(A) The spouse of a public servant.

(B) A child, stepchild, or adoptee (as defined in IC 31-9-2-2) of a public servant who is:

(i) unemancipated; and

(ii) less than eighteen (18) years of age.

(C) An individual more than one-half (1/2) of whose support is provided during a year by the public servant.

(2) "Governmental entity served by the public servant" means the immediate governmental entity being served by a public servant.

(3) "Pecuniary interest" means an interest in a contract or purchase if the contract or purchase will result or is intended to result in an ascertainable increase in the income or net worth of:

(A) the public servant; or

(B) a dependent of the public servant who:

(i) is under the direct or indirect administrative control of the public servant; or

(ii) receives a contract or purchase order that is reviewed, approved, or directly or indirectly administered by the public servant.

(b) A public servant who knowingly or intentionally:

(1) has a pecuniary interest in; or

(2) derives a profit from;

a contract or purchase connected with an action by the governmental entity served by the public servant commits conflict of interest, a Level 6 felony.

(c) It is not an offense under this section if any of the following apply:

(1) The public servant or the public servant's dependent receives compensation through salary or an employment contract for:

(A) services provided as a public servant; or

(B) expenses incurred by the public servant as provided by law.

(2) The public servant's interest in the contract or purchase and all other contracts and purchases made by the governmental entity during the twelve (12) months before the date of the contract or purchase was two hundred fifty dollars (\$250) or less.

(3) The contract or purchase involves utility services from a utility whose rate structure is regulated by the state or federal government.

(4) The public servant:

(A) acts in only an advisory capacity for a state supported college or university; and

(B) does not have authority to act on behalf of the college or university in a matter involving a contract or purchase.

(5) A public servant under the jurisdiction of the state ethics commission (as provided in IC 4-2-6-2.5) obtains from the state ethics commission, following full and truthful disclosure, written approval that the public servant will not or does not have a conflict of interest in connection with the contract or purchase

under IC 4-2-6 and this section. The approval required under this subdivision must be:

- (A) granted to the public servant before action is taken in connection with the contract or purchase by the governmental entity served; or
- (B) sought by the public servant as soon as possible after the contract is executed or the purchase is made and the public servant becomes aware of the facts that give rise to a question of conflict of interest.

(6) A public servant makes a disclosure that meets the requirements of subsection (d) or (e) and is:

- (A) not a member or on the staff of the governing body empowered to contract or purchase on behalf of the governmental entity, and functions and performs duties for the governmental entity unrelated to the contract or purchase;
- (B) appointed by an elected public servant;
- (C) employed by the governing body of a school corporation and the contract or purchase involves the employment of a dependent or the payment of fees to a dependent;
- (D) elected; or
- (E) a member of, or a person appointed by, the board of trustees of a state supported college or university.

(7) The public servant is a member of the governing board of, or is a physician employed or contracted by, a hospital organized or operated under IC 16-22-1 through IC 16-22-5 or IC 16-23-1.

(d) A disclosure must:

- (1) be in writing;
- (2) describe the contract or purchase to be made by the governmental entity;
- (3) describe the pecuniary interest that the public servant has in the contract or purchase;
- (4) be affirmed under penalty of perjury;
- (5) be submitted to the governmental entity and be accepted by the governmental entity in a public meeting of the governmental entity before final action on the contract or purchase;
- (6) be filed within fifteen (15) days after final action on the contract or purchase with:

- (A) the state board of accounts; and
- (B) if the governmental entity is a governmental entity other than the state or a state supported college or university, the clerk of the circuit court in the county where the governmental entity takes final action on the contract or purchase; and

(7) contain, if the public servant is appointed, the written approval of the elected public servant (if any) or the board of trustees of a state supported college or university (if any) that appointed the public servant.

(e) This subsection applies only to a person who is a member of, or a person appointed by, the board of trustees of a state supported college or university. A person to whom this subsection applies complies with the disclosure requirements of this chapter with respect to the person's pecuniary interest in a particular type of contract or purchase which is made on a regular basis from a particular vendor if the individual files with the state board of accounts and the

board of trustees a statement of pecuniary interest in that particular type of contract or purchase made with that particular vendor. The statement required by this subsection must be made on an annual basis.

*As added by P.L.126-2012, SEC.54. Amended by P.L.158-2013, SEC.499.*

**Profiteering from public service**

Sec. 5. (a) As used in this section, "pecuniary interest" has the meaning set forth in section 4(a)(3) of this chapter.

**IC 35-44.1-1-5**

(b) A person who knowingly or intentionally:

(1) obtains a pecuniary interest in a contract or purchase with an agency within one (1) year after separation from employment or other service with the agency; and

(2) is not a public servant for the agency but who as a public servant approved, negotiated, or prepared on behalf of the agency the terms or specifications of:

(A) the contract; or

(B) the purchase;

commits profiteering from public service, a Level 6 felony.

(c) This section does not apply to negotiations or other activities related to an economic development grant, loan, or loan guarantee.

(d) This section does not apply if the person receives less than two hundred fifty dollars (\$250) of the profits from the contract or purchase.

(e) It is a defense to a prosecution under this section that:

(1) the person was screened from any participation in the contract or purchase;

(2) the person has not received a part of the profits of the contract or purchase; and

(3) notice was promptly given to the agency of the person's interest in the contract or purchase.

*As added by P.L.126-2012, SEC.54. Amended by P.L.158-2013, SEC.500.*

### Add/Drop Policy Revisions

Students are encouraged to make necessary changes to their schedules prior to the start of the semester or term. Unless the student has a barrier to registration activity, the student may change their schedule through self-service means until **midnight the Sunday** following the first week of **full term** academic courses each semester. Other deadlines will be published on the Registrar website: [www.bsu.edu/registrar](http://www.bsu.edu/registrar). Schedule changes may be processed by web or in person at the Office of Registrar and Enrollment Services. **The university administration may extend this time period in the case of unforeseen circumstances.**

Using other Mid America Conference schools as a point of comparison, Ball State University has a very unique course add / drop program. Bowling Green State University began their classes for the 2015 – 2016 academic year on Monday, August 24<sup>th</sup> and students had until Tuesday, September 6<sup>th</sup> to drop a class without receiving a withdrawal, “W,” on their transcript. This is 10 days longer than Ball State University student have to add or drop from their course. For the 2014 – 2015 academic year at Northern Illinois University, students began classes on Monday August 25<sup>th</sup> and had until Sunday August 31<sup>st</sup> to add / drop courses via self-service online databases without receiving a “W” which is two days longer than Ball State University students currently have.

As an institution which promotes the academic wellbeing of all its community members, it is essential to understand how this change will benefit both faculty and students. This extension ensures that students better determine what their semester’s coursework could entail and set both themselves and their faculty members for a more positive learning experience.

Rationale: This would allow students an opportunity to best determine what they are capable of accomplishing in the semester and set themselves up for success.

# Academic Calendar

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## Fall Semester 2014

### April-August

New student and family orientation sessions

### August 18-22, Monday-Friday

Department, college, and university faculty meetings

### August 25, Monday

Classes begin

### August 31, Sunday

Last day for undergraduates to add or drop a first-half-semester or full-semester course via self-service in MyNIU

### September 1, Monday

Last day to apply for Fall 2014 graduation via self-service in MyNIU

### September 1, Monday

Labor Day (university closed)

### September 5, Friday

Last day for undergraduates to add a first-half-semester or full-semester course with approval of course department

### September 5, Friday

Last day for undergraduates to drop a first-half-semester or full-semester course with approval of major college

## Appendix A 2014 - 2015 Academic Calendar for Northern Illinois University Important Dates - Fall Semester 2015

March 2, 2015 .....	Schedule of Classes available on the web Enrollment Appointments posted to MyBGSU
March 30 – April 16, 2015 .....	Continuing student enrollment for Fall 2015 classes
April 17 – August 30, 2015 .....	Open enrollment for Fall 2015 classes
August 24, 2015 .....	<b>Fall Classes Begin.</b> 100% refund of fees for dropped classes
August 30, 2015 .....	Last day to add classes without college permission
August 31, 2015 .....	Late registration fee in effect. 80% refund of fees for dropped classes
September 4, 2015 .....	Last day to apply for December graduation, undergraduate
September 6, 2015 .....	Last day to drop or change grading option without college permission
September 7, 2015 .....	Labor Day – <b>No Classes</b> . 60% refund of fees for dropped classes. Students dropping a class on or after this date receive a withdrawal (W) grade on Transcript
September 14, 2015 .....	40% refund of fees for dropped classes
September 18, 2015 .....	Last day to apply for December graduation, graduates
September 21, 2015 .....	0% refund of fees for dropped classes
October 12 - 13, 2015 .....	Fall Break – <b>No Classes</b>

## Appendix B 2015 - 2016 Academic Calendar for Bowling Green State University

**Ball State University  
Office of Human Resources & Administrative Services**

**Proposed Policy Enhancements to Sick Leave Days to Care for a Family Member and  
Adoption/Foster Care Placement of a Child  
For Faculty, Professional and Staff Personnel**

**Submitted to University Senate Agenda Committee  
February 2, 2016**

In support of the University's Centennial Commitment (18 by '18) initiatives, the University will propose, **subject to Board approval**, to implement the following new initiatives to enhance the quality of our work-life environment for our employees at Ball State:

**Current Policy: Sick Leave to Care for a Family Member/Foster Care & Adoption Leave**

Presently, a full-time faculty, professional and/or staff benefits-eligible employee may be paid up to five (5) days of accrued sick leave per fiscal year for sick absences related to the care of a family member; or for the adoption or foster care placement of a child.

**Proposed Policy Change: Sick Leave to Care for a Family Member**

- **For Full-time Benefits-Eligible Faculty, Professional and Staff Employees:**  
Increase the number of paid sick leave days to care for a family member from a maximum of 5 to 10 accrued sick leave days per fiscal year.
- **For Part-Time Benefits-Eligible Contract Faculty and Professional Employees:**  
Increase the number of paid sick leave days to care for a family member from a maximum of 2.5 to 5 accrued sick leave days per fiscal year.
- **For Regular Part-Time Non-Exempt Staff (who have worked two (2) consecutive years or more at Ball State):**  
Increase the number of paid sick leave days to care for a family member from a maximum of 2.5 days (20 hours) to 5 days (40 hours) accrued sick leave per fiscal year.

**Proposed Policy Change Overview: Adoption or Foster Care Placement of a Child**

Entitlement for such leave begins on the date of adoption or foster care placement of a child. All eligible employees must be actively employed at the time of leave. The maximum accrued sick leave allowance that may be used for the adoption or foster care placement of child is 15 days in a leave year, after which, if the employee is eligible, the employee could then apply for unpaid Child Care Leave. If an employee is eligible for

Family and Medical Leave, Adoption Leave will run concurrently with FML.

- **For Full-time Benefits-Eligible Faculty, Professional and Staff Employees:**  
Increase the number of paid sick leave days due to an adoption or foster care placement of a child from a maximum of 5 to 15 accrued sick leave days per leave year.
- **For Part-Time Benefits-Eligible Contract Faculty and Professional Employees:**  
Increase the number of paid sick leave days due to an adoption or foster care placement of a child from a maximum of 2.5 to 7.5 accrued sick leave days per leave year.
- **For Regular Part-Time Non-Exempt Staff (who have worked two (2) consecutive years or more at Ball State):**  
Increase the number of paid sick leave days due to an adoption or foster care placement of a child from a maximum of 2.5 days (20 hours) to 7.5 days (60 hours) accrued sick leave per leave year.

Please note that this recommendation would not require increasing the sick leave accrual rate for any of these employee groups at Ball State, and would provide our employees with more work-life flexibility in the use of their existing paid sick leave allotment to take care of a sick family member; or for the adoption or foster care placement of a child. Adoption/Foster Care Placement Leave will not count against an employee's accrued sick leave days to care for a family member.

The proposed Adoption/Foster Care Placement Leave Policy is attached.

**Ball State University**  
**Office of Human Resources & Administrative Services**  
**(Proposed Draft Subject to Board Approval)**

**Adoption/Foster Care Placement Leave Program**  
**For Faculty, Professional and Staff Personnel**

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The Adoption/Foster Care Placement Leave program is intended to provide additional time off for eligible employees following the adoption or foster care placement of an employee's child.

**A. Eligibility and Duration of Adoption/Foster Care Placement Leave:**

The following three groups of employees are eligible to use a designated number of their accrued sick leave days for the Adoption/Foster Care Placement Leave program:

**1. Full-time Benefits Eligible Faculty, Professional and Staff Employees:**

Duration: A maximum of fifteen (15) accrued sick leave days in a "leave year."

**2. Part-Time Benefits Eligible Contract Faculty and Professional Employees:**

Duration: A maximum of seven and a half (7.5) accrued sick leave days in a "leave year."

**3. Regular Part-Time Non-Exempt Staff Employees who have worked two (2) consecutive years or more at Ball State.**

Duration: A maximum of seven and a half (7.5) accrued sick leave days (or sixty (60) hours) in a "leave year."

**B. Conditions:**

1. All eligible employees must be actively employed at the time of leave.
2. An Adoption/Foster Care Placement Leave of absence may only be granted to an employee following the adoption or foster care placement of a child.
3. A multiple adoption or foster care placement of a child does not increase the length of Adoption/Foster Care Placement Leave granted for that event.
4. If both parents are employed at the university, each parent may utilize this program.
5. An Adoption/Foster Care Placement Leave may only be taken during the 12-month period immediately following the adoption or foster care placement of an employee's child.
6. An approved Adoption/Foster Care Placement Leave gives the employee the right to return to his/her same or similar position at the expiration of the leave, assuming the employee would have been continuously employed during the leave.
7. An employee may not work for pay during an Adoption/Foster Care Placement Leave unless prior written approval has been obtained from Human Resources.
8. Failure to return to work at the expiration of the Adoption/Foster Care Placement Leave will be considered as a resignation from the university.
9. Adoption/Foster Care Placement Leave will not count against an employee's accrued sick leave days to care for a family member.

10. Accrued sick leave days to care for a family member cannot be used for the adoption/foster care placement of an employee's child immediately following the use of Adoption/Foster Care Placement Leave.
11. Adoption/Foster Care Placement Leave can be used either intermittently or continuously up to the maximum days allotted for the eligible employee as outlined in this policy.
12. The Adoption/Foster Care Placement Leave Program is subject to change at any time, at the discretion of the university.

**C. Documentation and Approvals:**

The employee requesting Leave under this program must complete an "Adoption/Foster Care Placement Leave Request Form," along with their official adoption/foster care documentation. This form and documentation should be submitted to Human Resources for approval and subsequent notification must be given to the employee's supervisor.

**D. Continuation of Benefit Programs:**

Benefit programs continue in accordance with plan provisions.

**E. Coordination with Family and Medical Leave: (FML)**

To the extent that the Adoption/Foster Care Placement Leave is also a Family and Medical Leave (FML) qualifying leave, it will run concurrently with Family and Medical Leave. If there is a conflict between the university's provisions of the Adoption/Foster Care Placement Leave policy and the Family and Medical Leave policy, the Family and Medical Leave policy provisions will take precedence for an Adoption/Foster Care Placement Leave that is also a Family and Medical qualifying leave.

**F. Definitions:**

1. A "leave year" is defined as a 12-month period measured backward from the date the employee uses any Adoption/Foster Care Placement Leave.
2. A new "leave year" is calculated with each occurrence of Adoption/Foster Care Placement Leave.

Effective Date (TBD - Subject to Board Approval)

## ***RESOLUTION***

WHEREAS, as a nationally ranked higher education institution, Ball State University has provided Indiana and our nation with outstanding graduates that immediately impact the economy and other improve the quality of life in their communities;

WHEREAS, the Ball State University Strategic Planning Task Force, consisting of representation of all the key constituencies on campus, developed the blueprint for the University's success in the creation of the five year strategic plan known as *Strategic Plan 2012-2017 Education Redefined 2.0: Advancing Indiana* (the "*Strategic Plan*");

WHEREAS, on December 14, 2012, the Board of Trustees unanimously approved the *Strategic Plan* to guide the University through 2017;

WHEREAS, the *Strategic Plan* sets forth certain specific objectives aimed at improving the learning environment and academic success of students;

WHEREAS, the educational experience of the University's students is greatly enhanced through productive faculty-student relationships, which would not occur without the incredible dedication and talents of the University faculty;

WHEREAS, the *Strategic Plan* sets forth certain specific objectives aimed at improving the positive impact the University has on communities throughout the State of Indiana;

WHEREAS, the University has succeeded by operating with an entrepreneurial mindset, characterizing by creative thinking, adaptability, and measured risk taking;

WHEREAS, on February 6, 2015, the Board of Trustees unanimously endorsed the *Centennial Commitment*, which emphasized eighteen important objectives from the *Strategic Plan* to be completed by the University's centennial in 2018 (the "*18 by '18*");

WHEREAS, the Board of Trustees believes that the University is benefitted by a diverse, collaborative, and open campus environment;

WHEREAS, as the University embarks on the search for its 17th President, the Board of Trustees desires to reaffirm their commitment to certain objectives and core principles.

### **NOW THEREFORE, BE IT RESOLVED THAT:**

1. Ball State University shall continue to aggressively pursue completion of the *Strategic Plan* generally, with particular focus on the '*18 by '18*.
2. Ball State University shall continue to be student-centered, creating a learning experience that best prepares our graduates for future personal and professional success.

3. Ball State University shall continue to be community engaged, using the talents and resources of the campus to better the quality of life across Indiana.
4. Ball State University shall continue to aspire to be a model 21<sup>st</sup> century research institution, where the breadth of scholarship informs teaching, applications for the greater good, and discovery of knowledge to advance targeted disciplines.
5. Ball State University shall build on its rich tradition as an entrepreneurial university, by continuing to embrace practices that increase efficiency of operation, enhance effectiveness of teaching, and prepare our graduates to be leaders.
6. Ball State University shall function collaboratively and transparently, welcoming the expression of opinions, encouraging the collective development by the campus of the best ideas, and maintaining open discussion and communication of policy decisions, all with the purpose of supporting a campus community united in its mission to propel the University to a second century of success.