# TABLE OF CONTENTS

BOARD MINUTES FOR JULY 19-21, 2020
BOARD OF REGENTS MEETING 337

Page

## APPROVAL OF PAST MINUTES

| Board Order 20-57 | Approval of Board of Regents Meeting 335 Minutes for April 17-18, 2020 and Meeting 336 Minutes for June 23, 2020 | 5 |

## ADMINISTRATION

| Board Order 20-58 | Election of General Counsel | 5 |
| Board Order 20-59 | Election of Chief Audit Executive | 6 |
| Board Order 20-60 | Election of President | 6 |
| Board Order 20-61 | Election of Coordinator of Board Affairs/Compliance | 6 |
| Board Order 20-62 | Adoption of Board Evaluation | 6 |

## PERSONNEL

| Board Order 20-63 | Staff Appointments | 6 |
| Board Order 20-63 | Faculty Appointments | 7 |
| Board Order 20-63 | Changes of Status | 8 |
| Board Order 20-63 | Faculty Promotions | 9 |
| Board Order 20-63 | Faculty Development Leave for 2020-21 | 10 |
| Board Order 20-63 | Retirements | 10 |

## ACADEMIC AND STUDENT AFFAIRS

| Board Order 20-64 | Approval of Curriculum Changes for 2020-21 | 10 |
| Board Order 20-65 | Approval of Low Producing Programs | 11 |
Board Order 20-66
Approval of Holiday Schedule for 2020-21

Board Order 20-67
Approval of Academic and Student Affairs Policy Revisions

BUILDING AND GROUNDS

Board Order 20-68
Approval of Music and Boynton Utility System Upgrade

Board Order 20-69
Approval of Education and General Roof Replacement and Repair

Board Order 20-70
Approval of Basketball Strength and Conditioning Room Renovation and Equipment Purchase

Board Order 20-71
Approval of Building and Grounds Policy Revisions

Board Order 20-72
Approval of Naming of Resource Room (Room 203B) and the Correction of the Resource Room (Room 203A) on the Second Floor, Ed and Gwen Cole Science, Technology, Engineering and Mathematics (STEM) Building

Board Order 20-73
Approval of Naming of the Men’s Basketball Player’s Lounge

FINANCIAL AFFAIRS

Board Order 20-74
Acknowledge Receipt of Audit Services Report
Approval of Annual Audit Plan for 2020-21

Board Order 20-75
Approval of the 2022-23 Legislative Appropriations Request-Capital and Exceptional

Board Order 20-76
Adoption of Fiscal Year 2020-21 Institutional Operating Budget
Approval of Changes in Course Fees
Approval of Student Online-Only Fee Change
Approval of Information Technology Services Cloud Software Purchases
Approval of Computer Purchase and Replacement
Approval of Classroom Instructional Delivery Upgrades
Board Order 20-77  
Approval of Voluntary Separation Incentive Plan ............................................................. 20

Board Order 20-78  
Approval of Grant Awards............................................................................................. 21

Board Order 20-79  
Approval of Utilization of Quasi-Endowment Fund ....................................................... 21

Board Order 20-80  
Approval of Contract Renewal for Navigate Program .................................................... 22

Board Order 20-81  
Approval of Contract Review Temporary Suspension Extension .................................... 22

Board Order 20-82  
Approval of Finance and Audit Policy Revisions ............................................................ 23

REPORTS
President’s Report ............................................................................................................. 23
Faculty Senate Report ........................................................................................................ 23
Student Government Association Report ....................................................................... 23
Board Committees ........................................................................................................... 24

APPENDICES
Appendix 1 – Board Self-Evaluation 2020
Appendix 2 – Policy Revisions
Appendix 3 – Audit Plan for 2020-21
Appendix 4 – HEF Allocation
Appendix 5 – Summer 2020 Course Fee Deletions
Appendix 6 – Grant Awards
Sunday, July 19, 2020

The meeting of the Board of Regents was called to order in open session at 2:08 p.m. by Chair Alton Frailey.

PRESENT ON VIDEOCONFERENCE:

Board Members:  Mr. Alton Frailey, Chair  
Mrs. Karen Gantt, Vice Chair – Joined at 2:23 p.m.  
Mr. Tom Mason, Secretary  
Mr. David Alders  
Dr. Scott Coleman  
Mr. Robert Flores  
Mrs. Brigettee Henderson  
Mrs. Judy Olson  
Mrs. Jennifer Winston  
Ms. Ireland Bramhall, Student Member

General Counsel:  Mr. Damon Derrick

President:  Dr. Scott Gordon

Cabinet:  Dr. Steve Bullard  
Mr. Anthony Espinoza  
Dr. Danny Gallant  
Mr. Ryan Ivey  
Mrs. Jill Still  
Dr. Steve Westbrook

Other SFA administrators and staff were in attendance online.

Chair Frailey called the meeting into executive session at 2:15 p.m. to consider the following items:

Deliberations Regarding the Deployment, or Specific Occasions for Implementation, of Security Personnel or Devices (Texas Government Code, Section 551.076)  
Firewall Audit  
Report from chief information officer

Deliberations Regarding Negotiated Contracts for Prospective Gifts or Donations (Texas Government Code, Section 551.073)
Potential Naming Opportunities

Consultation with Attorney Regarding Legal Advice or Pending and/or Contemplated Litigation or Settlement Offers, including but not limited to reported complaints; EEOC charges; *Marcella Cook v. SFASU et al*; and *Ann Wilder, Ph.D. v. SFASU* (Texas Government Code, Section 551.071)

Consideration of Individual Personnel Matters Relating to Appointment, Employment, Evaluation, Assignment, Duties, Discipline, or Dismissal of an Officer or Employee, including but not limited to the director of athletics, chief diversity officer, general counsel, chief audit executive, coordinator of board affairs/compliance, vice presidents and the president (Texas Government Code, Section 551.074)

Board Evaluations

The executive session ended at 5:50 p.m. The Board of Regents videoconference meeting returned to open session and recessed to Monday, July 20, at 8:00 a.m.
Monday, July 20, 2020

The meeting of the Board of Regents was called to order in open session via videoconferencing at 8:00 a.m. by Chair Alton Frailey.

Board Members: Mr. Alton Frailey, Chair
Mrs. Karen Gantt, Vice Chair
Mr. Tom Mason, Secretary
Mr. David Alders – Joined at 8:09 a.m.
Dr. Scott Coleman
Mr. Robert Flores
Mrs. Brigettee Henderson
Mrs. Judy Olson
Mrs. Jennifer Winston
Ms. Ireland Bramhall, Student Member

General Counsel: Mr. Damon Derrick

President: Dr. Scott Gordon

Cabinet: Mrs. Erma Brecht
Dr. Steve Bullard
Mr. Anthony Espinoza
Dr. Danny Gallant
Mr. Ryan Ivey
Mrs. Jill Still
Dr. Steve Westbrook

Other SFA administrators and staff were in attendance online.

Dr. Scott Gordon presented the update on the SFA Envisioned Strategic Plan and the New University Model. Dr. Gordon and cabinet members provided an update on the Open SFA/COVID-19 plan.

The board recessed at 10:15 a.m. to committee meetings. The Building and Grounds Committee convened at 10:18 a.m.

Dr. Danny Gallant provided the Construction Report to the board.

The board recessed the Building and Grounds Committee meeting at 10:35 a.m. The Finance and Audit Committee convened at 10:36 a.m.

Gallant presented the Contract Monitoring Report to the board.

The board recessed the Finance and Audit Committee meeting at 11:36 a.m. for lunch. The Finance and Audit Committee reconvened at 12:59 p.m. via videoconference.
The board recessed the Finance and Audit Committee meeting at 2:41 p.m. The Academic and Student Affairs Committee convened at 2:58 p.m.

Dr. Steve Westbrook and Police Chief John Fields presented the SFA University Police Department Racial Profiling Report to the board.

The board recessed the Academic and Student Affairs Committee at 3:25 p.m. and recessed committee meetings.

Chair Frailey called the meeting into executive session at 3:27 p.m. to consider the following items:

Deliberations Regarding the Deployment, or Specific Occasions for Implementation, of Security Personnel or Devices (Texas Government Code, Section 551.076)
   - Firewall Audit
     - Report from chief information officer

Deliberations Regarding Negotiated Contracts for Prospective Gifts or Donations (Texas Government Code, Section 551.073)
   - Potential Naming Opportunities

Consultation with Attorney Regarding Legal Advice or Pending and/or Contemplated Litigation or Settlement Offers, including but not limited to reported complaints; EEOC charges; Marcella Cook v. SFASU et al; and Ann Wilder, Ph.D. v. SFASU (Texas Government Code, Section 551.071)

Consideration of Individual Personnel Matters Relating to Appointment, Employment, Evaluation, Assignment, Duties, Discipline, or Dismissal of an Officer or Employee, including but not limited to the director of athletics, chief diversity officer, general counsel, chief audit executive, coordinator of board affairs/compliance, vice presidents and the president (Texas Government Code, Section 551.074)
   - Board Evaluations

The executive session ended at 4:41 p.m. The Board of Regents videoconference meeting returned to open session and recessed to Tuesday, July 21, at 9:00 a.m.
Tuesday, July 21, 2020

The annual meeting of the Board of Regents was called to order in open session via videoconferencing at 9:02 a.m. by Chair Alton Frailey.

Board Members: Mr. Alton Frailey, Chair  
Mrs. Karen Gantt, Vice Chair  
Mr. Tom Mason, Secretary  
Mr. David Alders  
Dr. Scott Coleman  
Mr. Robert Flores  
Mrs. Brigettee Henderson  
Mrs. Judy Olson  
Mrs. Jennifer Winston  
Ms. Ireland Bramhall, Student Member  

General Counsel: Mr. Damon Derrick  

President: Dr. Scott Gordon  

Cabinet: Mrs. Erma Brecht  
Dr. Steve Bullard  
Mr. Anthony Espinoza  
Dr. Danny Gallant  
Mr. Ryan Ivey  
Mrs. Jill Still  
Dr. Steve Westbrook  

Other SFA administrators and staff were in attendance online. The pledge was offered by ROTC Cadet Cody Abshire. Regent Mason offered the invocation.

APPROVAL OF MINUTES

BOARD ORDER 20-57  
Upon motion by Regent Henderson, seconded by Regent Coleman, with all members voting aye, it was ordered that the minutes of Meeting 335, April 17-18, 2020, regular meeting of the Board of Regents and minutes of Meeting 336, June 23, 2020, special called meeting of the Board of Regents be approved as presented.

ADMINISTRATION

BOARD ORDER 20-58  
Upon motion by Regent Winston, seconded by Regent Alders, with all members voting aye, it was ordered that the following item be approved.

ELECTION OF THE GENERAL COUNSEL FOR 2020-21  
A performance evaluation was conducted, and Damon Derrick was re-elected general counsel for 2020-2021, effective September 1, 2020, under current employment terms.
BOARD ORDER 20-59
Upon motion by Regent Olson, seconded by Regent Mason, with all members voting aye, it was ordered that the following item be approved.

ELECTION OF THE CHIEF AUDIT EXECUTIVE FOR 2020-21
A performance evaluation was conducted, and Gina Oglesbee was re-elected chief audit executive for 2020-2021, effective September 1, 2020, under current employment terms.

BOARD ORDER 20-60
Upon motion by Regent Coleman, seconded by Regent Winston, with all members voting aye, it was ordered that the following item be approved.

ELECTION OF THE PRESIDENT FOR 2020-21
A performance evaluation was conducted, and Scott Gordon was re-elected president for 2020-2021, effective September 1, 2020, under current employment terms.

BOARD ORDER 20-61
Upon motion by Regent Coleman, seconded by Regent Alders, with all members voting aye, it was ordered that the following item be approved.

ELECTION OF THE COORDINATOR OF BOARD AFFAIRS/COMPLIANCE FOR 2020-21
A performance evaluation was conducted, and April Smith was re-elected coordinator of board affairs/compliance for 2020-2021, effective September 1, 2020, under current employment terms.

BOARD ORDER 20-62
Upon motion by Regent Alders, seconded by Regent Flores, with all members voting aye, it was ordered that the following item be approved.

ADOPTION OF BOARD EVALUATION

WHEREAS, the board members considered the following: The university’s accrediting body, the Southern Association of Colleges and Schools Commission on Colleges and the Board of Regents Rules and Regulations require that the Board of Regents conduct a self-evaluation of its responsibilities and expectations. This evaluation is to consider the principles of board governance, applicable state law, the Board rules, and the university’s mission statement and strategic plan.

THEREFORE, it was ordered that following discussion and evaluation, the Board of Regents adopt the completed Self-Evaluation as presented in Appendix 1.

PERSONNEL

BOARD ORDER 20-63
Upon motion by Regent Alders, seconded by Regent Coleman, with all members voting aye, it was ordered that the following personnel items be approved.

STAFF APPOINTMENTS
The following staff appointments were approved.
ATHLETICS
Marcus Walker, Assistant Football Coach at an annual salary of $40,000 for 100-percent time, effective 6/4/2020.

CHARTER SCHOOL
Ande Wallace, Teacher Charter School at a 10 month salary of $41,150 for 100-percent time, effective 9/1/2020.

GENERAL COUNSEL
Tanner Boyd, Assistant General Counsel at an annual salary of $70,000 for 100-percent time, effective 7/21/2020.

Colleen Gallagher, Assistant General Counsel at an annual salary of $90,000 for 100-percent time, effective 7/21/2020.

PHYSICAL PLANT
Deborah Rossler, Construction Project Manager, at an annual salary of $66,000 for 100-percent time, effective 6/16/2020.

FACULTY APPOINTMENTS
The following faculty appointments were approved.

JAMES I. PERKINS COLLEGE OF EDUCATION
Tonya Jeffery, EDD (University of Houston) Assistant Professor of Education Studies at an academic salary of $62,000 for 100-percent time, effective 9/1/2020.

Kevin Jones, PhD (Texas A&M University), Assistant Professor of Education Studies at an academic salary of $63,000 for 100-percent time, effective 9/1/2020.

Jill Pruett, MS (Stephen F. Austin State University), Clinical Instructor of Human Sciences at an academic salary of $58,000 for 100-percent time, effective 9/1/2020.

Elaine Turner, PhD (Stephen F. Austin State University), Assistant Professor of Human Services and Educational Leadership at an academic salary of $65,000 for 100-percent time, effective 9/1/2020.

Robyn Whitehead, PhD (University of the Rockies), Assistant Professor of Kinesiology at an academic salary of $60,000 for 100-percent time, effective 9/1/2020.

COLLEGE OF FINE ARTS
Margaret Fay, DMA (Indiana University), Visiting Assistant Professor of Music at an academic salary of $50,000 for 100-percent time, effective 9/1/2020.

James Taylor, MFA (Stephen F. Austin State University), Lecturer-Sound Recording Technology at an academic salary of $40,000 for 100-percent time, effective 9/1/2020.
COLLEGE OF LIBERAL AND APPLIED ARTS

Christine Bishop, MSW (Loyola University, Chicago), Assistant Professor of Social Work at an academic salary of $54,650 for 100-percent time, effective 9/1/2020.

Ronald Rush, PhD (Louisiana State University), Assistant Professor of Social Work at an academic salary of $54,425 for 100-percent time, effective 9/1/2020.

Gregory Smith, PhD (University of South Florida), Lecturer for Languages, Cultures and Communication at an academic salary of $40,000 for 100-percent time, effective 9/1/2020.

Spencer Willardson, PhD (University of Iowa), Assistant Professor of Government at an academic salary of $55,000 for 100-percent time, effective 9/1/2020.

COLLEGE OF SCIENCES AND MATHEMATICS

Jordan Baker, MN (Texas A&M University), Clinical Instructor of Nursing at an academic salary of $55,000 for 100-percent time, effective 9/1/2020.

Morgan Benton, BSN, (Stephen F. Austin State University), Clinical Instructor of Nursing at an academic salary of $45,000 for 100-percent time, effective 9/1/2020.

Sherry Cheever, MSN (University of Texas Health Science Center), Clinical Instructor of Nursing at an academic salary of $55,000 for 100-percent time, effective 9/1/2020.

Ashley Goar, MSN (University of Texas, Houston), Clinical Instructor of Nursing at an academic salary of $55,000 for 100-percent time, effective 9/1/2020.

Dipak Singh, B.Tech (National Institute of Technology, India), Assistant Professor of Computer Science at an academic salary of $87,450 for 100-percent time, effective 9/1/2020.

CHANGES OF STATUS

The following changes of status were approved.

ATHLETICS

Aidan Pool, from Athletic Training Medical, Graduate Assistant at a 9 month salary of $8,050, 50-percent time, to Athletic Trainer at an annual salary of $43,000 for 100-percent time, effective 6/1/2020.

Kyle Keller, Head Coach for Men’s Basketball Operations. The president is authorized to negotiate and execute the Head Coach Employment Contract, upon review from legal form and sufficiency by the Office of the General Counsel.

JAMES I. PERKINS COLLEGE OF EDUCATION

Ginney Love Watkins, from Early Childhood Lab, Master Teacher at an annual salary of $50,703, 100-percent time, to Human Sciences, Visiting Assistant Professor at an annual salary of $55,000 for 100-percent time, effective 9/1/2020.

Chay Runnels, from Human Sciences, Associate Professor at a 9 month salary of $78,078, 100-percent time, to Interim Director at a 9 month salary of $78,078, 100-percent time with an additional
stipend of $1,000 per month for 3 months, effective 6/1/2020.

Kelly Finnerud, from Charter School, Teacher Aide/Substitute Teacher at a 10 month salary of $30,539, 100-percent time, to Teacher at a 10 month salary of $41,000, 100-percent time, effective 9/1/2020.

**HUMAN RESOURCES**

Lisa Balty, from Human Resources, Human Resources Representative at an annual salary of $43,217 100-percent time, to Senior Human Resources Representative at an annual salary of $50,000 for 100-percent time, effective 7/1/2020.

Kimberly Odems, from Human Resources, Human Resources Specialist III at an annual salary of $40,417 100-percent time, to Senior Human Resources Representative at an annual salary of $47,500 for 100-percent time, effective 7/1/2020.

Deja Peterson, from Human Resources, Human Resources Representative at an annual salary of $43,217 100-percent time, to Senior Human Resources Representative at an annual salary of $50,000 for 100-percent time, effective 7/1/2020.

John Wyatt, from Human Resources, Assistant Director, at an annual salary of $81,902 100-percent time, to Associate Director at an annual salary of $85,000 for 100-percent time, effective 7/1/2020.

**COLLEGE OF SCIENCES AND MATHEMATICS**

James Langford, from Biology/Pre Professional Programs, Associate Professor/Director of Pre Professional Programs at a 9 month salary of $74,838, 100-percent time, to Interim Chair at a 9 month salary of $74,838, 100-percent time, with an additional stipend of $1,000 per month for 2 months, effective 7/1/2020.

Jeremy Becnel, from Mathematics and Statistics, Professor at a 9 month salary of $75,133, 100-percent time, to Computer Sciences, Professor at a 9 month salary of $100,000 for 100-percent time, effective 9/1/2020.

Matthew Beauregard, from Mathematics and Statistics, Professor at a 9 month salary of $78,424, 100-percent time, to Physics, Engineering and Astronomy, Interim Chair, at a 9 month salary of $78,424, 100-percent time, with an additional stipend of $1,000 per month for 3 months, effective 6/1/2020.

**FACULTY PROMOTIONS**

The following faculty promotions were approved.

To Assistant Professor, effective fall semester 2020.
Elizabeth Gound Elementary Education

To Professor Emeritus, effective fall semester 2020.
Gary Kronrad Forestry and Environmental Science
FACULTY DEVELOPMENT LEAVE FOR 2020-21
The following faculty development leave for 2020-21 were approved.

Spring 2021  Jane Long  Mathematics and Statistics

RETIREMENTS
The following retirements were approved.

<table>
<thead>
<tr>
<th>Retiree Name</th>
<th>Department</th>
<th>Title</th>
<th>Retirement Date</th>
<th>Service to SFA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Neill Armstrong</td>
<td>Secondary Education</td>
<td>Associate Professor</td>
<td>8/31/2020</td>
<td>16 years</td>
</tr>
<tr>
<td>Larry Bishop</td>
<td>English and Creative Writing</td>
<td>Adjunct Faculty</td>
<td>5/31/2020</td>
<td>18 years</td>
</tr>
<tr>
<td>Regina Brown</td>
<td>School of Nursing</td>
<td>Clinical Instructor</td>
<td>8/31/2020</td>
<td>15 years</td>
</tr>
<tr>
<td>Deborah Cady</td>
<td>Human Services</td>
<td>Clinical Instructor</td>
<td>8/31/2020</td>
<td>9 years</td>
</tr>
<tr>
<td>Jere Jackson</td>
<td>Center for East Texas Studies</td>
<td>Director East TX Studies</td>
<td>8/31/2020</td>
<td>50 years</td>
</tr>
<tr>
<td>Gary Kronrad</td>
<td>Forestry</td>
<td>Professor</td>
<td>8/31/2020</td>
<td>31 years</td>
</tr>
<tr>
<td>Marcus Madden</td>
<td>University Police Department</td>
<td>Lieutenant</td>
<td>5/31/2020</td>
<td>12 years</td>
</tr>
<tr>
<td>Lynda Martin</td>
<td>Human Sciences</td>
<td>Chair/Professor</td>
<td>5/31/2020</td>
<td>17 years</td>
</tr>
<tr>
<td>Cynthia McCarley</td>
<td>School of Nursing</td>
<td>Associate Professor</td>
<td>8/31/2020</td>
<td>30 years</td>
</tr>
<tr>
<td>Karren Price</td>
<td>Government</td>
<td>Associate Professor</td>
<td>12/31/2020</td>
<td>13 years</td>
</tr>
<tr>
<td>Robbie Steward</td>
<td>Human Services</td>
<td>Chair/Professor</td>
<td>8/31/2020</td>
<td>10 years</td>
</tr>
</tbody>
</table>

ACADEMIC AND STUDENT AFFAIRS COMMITTEE

BOARD ORDER 20-64
Upon motion by Regent Henderson, seconded by Regent Mason, with all members voting aye, it was ordered that the following academic and student affairs item be approved.

APPROVAL OF CURRICULUM CHANGES FOR 2020-21

WHEREAS, the board members considered the following: Changes in curriculum originate in the departments and are reviewed by the colleges and university curriculum committees, the graduate council, the appropriate dean and the provost and vice president for academic affairs. After approval by the Board of Regents curriculum changes are submitted to the Texas Higher Education Coordinating Board.

THEREFORE, it was ordered that the undergraduate and graduate curriculum changes as presented to be effective fall 2020.

<table>
<thead>
<tr>
<th>Change</th>
<th>College</th>
<th>Course/Program</th>
</tr>
</thead>
<tbody>
<tr>
<td>Graduate Course Addition</td>
<td>Forestry and Agriculture</td>
<td>AGRI 5325 - Seminar on Wheels</td>
</tr>
<tr>
<td>Graduate Course Modifications</td>
<td>College of Education</td>
<td>EDLE 6350 - Synthesis Seminar I</td>
</tr>
<tr>
<td>Graduate Course Deletion</td>
<td>Education</td>
<td>ELE 560 - Technology and Curriculum</td>
</tr>
</tbody>
</table>
Graduate Program Addition | Education | Educational Leadership, Athletic Director, M.Ed.
--- | --- | ---
Undergraduate Program Modification | Forestry and Agriculture | B.S. in Spatial Science (addition of new concentration in Cultural Resources)
Undergraduate Course Modification | Liberal and Applied Arts | GEOG 2021 - Introduction to Geographic Information Systems Lab
Undergraduate Course Modification | Liberal and Applied Arts | SUST 3330 - Fundamentals of Sustainability
Undergraduate Course Modification | Business | MGMT 3195 - Career Planning

**BOARD ORDER 20-65**
 Upon motion by Regent Henderson, seconded by Regent Coleman, with all members voting aye, it was ordered that the following academic and student affairs item be approved.

**APPROVAL OF LOW PRODUCING PROGRAMS**

WHEREAS, the board members considered the following: The Texas Higher Education Coordinating Board, in accordance with Texas Education Code, Chapter 61, Subchapter C, Section 61.0512 (f), and pursuant to Texas Administrative Code Title 19, Chapter 4, Subchapter R, Rules 4.285 to 4.290, conducted the annual review of Low-Producing Degree Programs.

Standards for numbers of graduates of Low-Producing Degree Programs are:
- fewer than 25 graduates in a 5 years for undergraduate programs,
- fewer than 15 graduates in 5 years for master’s programs, and
- fewer than 10 graduates in 5 years for doctoral programs.

After the review of SFA programs, the Coordinating Board staff recommended the following programs for consolidation or closure:

<table>
<thead>
<tr>
<th>List of Low Producing Programs Three Years in a Row</th>
<th>Number of Graduates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Academic Year 2020 Review</td>
<td>AY 13</td>
</tr>
<tr>
<td>Stephen F. Austin State University</td>
<td>Forestry, Ph.D.</td>
</tr>
<tr>
<td></td>
<td>School Mathematics Teaching, M.S.</td>
</tr>
<tr>
<td></td>
<td>Philosophy, B.A.</td>
</tr>
<tr>
<td></td>
<td>Economics, B.A.</td>
</tr>
</tbody>
</table>

If a governing board does not accept the recommendation, the institution must identify the programs recommended for consolidation or closure on its next Legislative Appropriation Request (LAR). An institution must develop a plan for the degree program to achieve the minimum standard for the degree awarded, or if the standard is not attainable, the institution needs to provide a rationale describing the merits of continuing the degree program.
THEREFORE, it was ordered that the following actions for SFA low producing programs:

<table>
<thead>
<tr>
<th>List of Low Producing Programs Three Years in a Row</th>
<th>Program Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Academic Year 2020 Review</td>
<td></td>
</tr>
<tr>
<td>Forestry, Ph.D.*</td>
<td>Continue</td>
</tr>
<tr>
<td>School Mathematics Teaching, M.S.**</td>
<td>Continue</td>
</tr>
<tr>
<td>Philosophy, B.A.***</td>
<td>Continue</td>
</tr>
<tr>
<td>Economics, B.A.****</td>
<td>Continue</td>
</tr>
</tbody>
</table>

Stephen F. Austin State University

*The Forestry Ph.D. is the only program of its kind in the state, and thus merits unique consideration. It operates at minimal additional cost to the undergraduate and master’s degrees the Forestry program delivers. Finally, the program has been streamlined to reduce the number of dissertation hours necessary to complete it, and more assistantship funding has been created. There is not a similar program with which it can be consolidated.

**The M.S. in School Mathematics Teaching (MSSMT) has already been redesigned as a web-based program in order to increase enrollment, and the creation of the new undergraduate JacksTeach program for STEM disciplines will provide a recruitment pathway into the MSSMT. Eliminating the program would not reduce faculty lines in Mathematics, which are needed to teach core and foundational mathematics courses and staff the B.S. for Sciences and Mathematics and the M.S. in Mathematical Sciences. Therefore, no cost savings would be netted by closing the program. There is not a similar program with which it can be consolidated.

***The B.A. in Philosophy has recently been restructured to include a new track in religious studies. According to the Texas Workforce Commission, employment for religious activities and education directors is projected to increase by 14% in Texas over the coming years, and the new track will provide a pathway into religious professions. Also, the philosophy faculty launched a new degree, the B.A./B.S. in Medical Humanities, in the Fall 2019 term in order to increase the credit hour production of the unit. Finally, philosophy faculty teach valuable core curriculum courses (Introduction to Philosophy and Ethics) at relatively low cost. In fact, the salary cost per semester credit hour for philosophy faculty is $89, compared to $252 for nursing faculty, $206 for music faculty, and $146 for accounting faculty. There is not a similar program with which it can be consolidated.

****The B.A. in Economics provides students with the option of majoring in economics without having to obtain a business degree. As the same courses are necessary for the Business Economics major leading to a BBA, no cost savings would be realized by closing the B.A. in Economics.

BOARD ORDER 20-66
Upon motion by Regent Henderson, seconded by Regent Winston, with all members voting aye, it was ordered that the following academic and student affairs item be approved.

APPROVAL OF HOLIDAY SCHEDULE FOR 2020-21
WHEREAS, the board members considered the following: Fourteen holidays are allowed by the state for FY2021. The following schedule will allow SFA to be closed for five working days at Thanksgiving, eight working days during Christmas, Martin Luther King, Jr Day, five working days during Spring Break, and Memorial Day which totals 20 days. Employees will be required to take two days paid leave on November 26 and 27, two days of paid leave on December 30 and 31, and two days of paid leave on March 11 and 12. Campus buildings will be closed for nine days during Thanksgiving week, 12 days during the Christmas break, and nine days during Spring Break, which will result in significant energy savings.

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>November 23-27</td>
<td>Thanksgiving Break</td>
</tr>
<tr>
<td>December 23-January 1</td>
<td>Christmas Break</td>
</tr>
<tr>
<td>January 18</td>
<td>Martin Luther King, Jr. Day</td>
</tr>
<tr>
<td>March 8-12</td>
<td>Spring Break</td>
</tr>
<tr>
<td>May 31</td>
<td>Memorial Day</td>
</tr>
</tbody>
</table>

Offices scheduled to be open: Admissions, Financial Aid, Registrar, Business, Housing, and UPD

THEREFORE, it was ordered that the holiday schedule for FY2021 be approved as presented.

Board Order 20-67
Upon motion by Regent Henderson, seconded by Regent Flores, with all members voting aye, it was ordered that the following academic and student affairs items be approved.

ACADEMIC AND STUDENT AFFAIRS POLICY REVISIONS

The Board of Regents adopted the following policy revisions as presented in Appendix 2:

- Academic Advising for Undergraduate Students 6.2
- Academic Facilities for Non-Academic Activities 16.1
- Course Fees 3.8
- Curriculum Reviews, Modifications and Approvals 5.7
- Developmental Education and the Texas Success Initiative 5.8
- Discrimination Complaints 2.11
- Hazing 10.3
- Parking and Traffic Regulations 13.14
- Part-time Faculty 7.21
- Public and Student Health 13.16
- Records Management 2.9
- Reduction in Force of Non-Academic Employees 11.23
- Sexual and Gender-Based Discrimination, Violence, Harassment, and Misconduct 2.13
- Student Code of Conduct 10.4
- Student Internships 11.29
- Telecommuting 11.27
- Undergraduate Admission and Credits 6.20
- Volunteer Workers 11.32
- Wellness Release Time 13.25
BUILDING AND GROUNDS COMMITTEE

BOARD ORDER 20-68
Upon motion by Regent Alders, seconded by Regent Olson, with all members voting aye, it was ordered that the following buildings and grounds item be approved.

APPROVAL OF MUSIC AND BOYNTON UTILITY SYSTEM UPGRADE

WHEREAS, the board members considered the following: At the July 23, 2019 meeting, the regents approved a $3.5 million piping system to link the Griffith Fine Arts Building and the new fine arts facilities with the current Power Plant 1 utility distribution system. To provide additional support for the fine arts facilities, it is necessary to upgrade the Power Plant 1 utility distribution system by adding chillers, cooling towers, and pumps and include the Wright Music Building and Boynton Building in the upgrades. To do so, an additional chiller, cooling tower, and pumps are required at Power Plant 1.

Additional hydronic piping to connect Music and Boynton is also required. This proposal will add an additional chiller to Power Plant 1, remove the old inefficient energy equipment in both Boynton and Music, and connect both buildings to the hydronic piping system. Site work, installation, and flood mitigation, will be included in the utility infrastructure upgrade. In total, two chillers, two cooling towers, and additional pumps will be added to Power Plant 1. The utility system upgrades will provide more efficient and effective utility equipment for the buildings, and add chiller back-up redundancy.

THEREFORE, it was ordered that HEF funding, at a cost not to exceed $2,000,000, be utilized to upgrade Power Plant 1 and associated utility infrastructure and distribution system.

BOARD ORDER 20-69
Upon motion by Regent Alders, seconded by Regent Henderson, with all members voting aye, it was ordered that the following buildings and grounds item be approved.

APPROVAL OF EDUCATION AND GENERAL ROOF REPLACEMENT AND REPAIR

WHEREAS, the board members considered the following: The SFA Physical Plant Department maintains a condition inventory of campus education and general (E&G) roofs. The Lucille E. Norton Health and Physical Education (HPE) Building and complex contains the Kinesiology Department and serves as the hub for various university functions. The building contains 70,000 square feet, was last reroofed in 1985, its warranty is expired, and it is nearing the end of its useful life. The recommendation is to split the re-roofing in two phases to spread the cost over a period of years. Phase 1 of the HPE roof is estimated to cost $450,000. In addition, various E&G roofs require more than regular preventative maintenance to extend their lives. The estimated cost to maintain these roofs is $150,000.

THEREFORE, it was ordered that HEF funding, at a cost not to exceed $600,000, be utilized to fund HPE Phase 1 roof replacement as well as replace and/or repair education and general roofs.

BOARD ORDER 20-70
Upon motion by Regent Alders, seconded by Regent Mason, with all members voting aye, it was
ordered that the following buildings and grounds item be approved.

**APPROVAL OF BASKETBALL STRENGTH AND CONDITIONING ROOM RENOVATION AND EQUIPMENT PURCHASE**

*Whereas,* the board members considered the following: At the April 24, 2018 meeting, in anticipation of a fitness and conditioning need for the basketball teams, the regents approved a $725,000 project to renovate and equip a fitness room in the coliseum, using designated fund balance. At the October 29, 2018 meeting, the regents approved a bond issue that included a basketball practice facility. The new facility will contain a fitness and workout space for the basketball teams. Therefore, the original space dedicated to fitness and condition is not needed.

Work completed on the initial conditioning facility included lead abatement and space preparation. Total expenditures for the original fitness room are $27,369. Since the new basketball performance facility will contain a fitness and conditioning space, the original fitness space is no longer needed for that purpose. The current balance in the project account is $724,387.28.

**Therefore,** it was ordered the closure of the Basketball Strength and Conditioning Room Renovation and Equipment Purchase Project, and the entire account balance be returned to the designated fund balance.

**Board Order 20-71**

Upon motion by Regent Alders, seconded by Regent Flores, with all members voting aye, it was ordered that the following buildings and grounds items be approved.

**Buildings and Grounds Policy Revisions**

The Board of Regents adopted the following policy revisions as presented in Appendix 2:

- Kennedy Auditorium 16.14
- Use of Amplified Sound on Campus Grounds 16.31

**Board Order 20-72**

Upon motion by Regent Alders, seconded by Regent Winston, with all members voting aye, it was ordered that the following buildings and grounds items be approved.

**Approval of Naming of Resource Room (Room 203B) and the Correction of the Resource Room (Room 203A) on the Second Floor, Ed and Gwen Cole Science, Technology, Engineering and Mathematics (STEM) Building**

*Whereas,* the board members considered the following: In accordance with Board Rules and Regulations and university policy 1.5, Naming Guidelines, buildings and other facilities may be named for persons, both living and deceased, who make a significant donation to the university. The board will consider the appropriate naming of a resource and common room located on the second floor of the Ed and Gwen Cole Science, Technology, Engineering and Mathematics (STEM) Building located at 1720 Clark Boulevard, which houses the College of Sciences and Mathematics
STEM programs on the campus of Stephen F. Austin State University.

The board members also considered that at the January 28, 2020 meeting, the board approved naming the resource room (Room 203A) the Harry D. Downing Physics Resource Room. At the request of Dr. Harry Downing, the board will consider changing the name of the room to the Harry and Carolyn Downing PRC (Physics Resource Commons).

Therefore, it was ordered that the resource room (Room 203A) located on the second floor of the Ed and Gwen Cole STEM Building on the campus of Stephen F. Austin State University be renamed the Harry and Carolyn Downing PRC (Physics Resource Commons).

It was also ordered that the Board of Regents name the resource and common room (Room 203B) located on the second floor of the Ed and Gwen Cole STEM Building on the campus of Stephen F. Austin State University in honor of Harry Downing and the late Carolyn Downing. It is further recommended that the following resolution be adopted:

WHEREAS, Harry Downing is a 45-year tenured faculty member and was a long-standing department chair of 31 years in the Department of Physics, Engineering and Astronomy at Stephen F. Austin State University. His wife of 54 years, the late Carolyn Downing, was a nurse for 26 years; and

WHEREAS, during his years as an undergraduate student, he appreciated having a dedicated space (a “cubby space”) close to faculty offices where he could study. It is his desire to provide such a dedicated “cubby space” for engineering students at the university; and

WHEREAS, Harry and Carolyn Downing established the Carolyn and Harry Downing Nursing Scholarship and the Harry and Carolyn Downing Physics Scholarship; and

WHEREAS, Harry Downing has faithfully served and continues to serve Stephen F. Austin State University with distinction and honor as a dedicated faculty member; and

WHEREAS, in their loyal dedication to SFA through generous gifts of support and standards of excellence, he is honoring Carolyn’s memory and setting a distinguished example for others;

NOW, THEREFORE, LET IT BE RESOLVED, the Board of Regents expresses its admiration, gratitude and high regard for Harry Downing by naming Room 203B situated on the second floor of the Ed and Gwen Cole STEM Building the Harry and Carolyn Downing ERC (Engineering Resource Commons).

BOARD ORDER 20-73
Upon motion by Regent Alders, seconded by Regent Mason, with all members voting aye, it was ordered that the following buildings and grounds item be approved.

APPROVAL OF NAMING OF THE MEN’S BASKETBALL PLAYER’S LOUNGE

WHEREAS, the board members considered the following: In accordance with Board Rules and Regulations, and university policy 1.5, Naming Guidelines, buildings and other facilities may be named for persons, both living and deceased, who make a significant donation to the university.
The board will consider the appropriate naming of the men’s basketball player lounge in the Loddie Naymola Basketball Performance Center currently under construction at the corner of University Drive and East College Street on the campus of Stephen F. Austin State University.

THEREFORE, it was ordered that the Board of Regents name the men’s basketball player lounge in the Loddie Naymola Basketball Performance Center as the Dr. Bill and Barbara Gandy Men’s Basketball Player Lounge contingent upon complete satisfaction of the executed agreement terms and conditions. It is further recommended that the following resolution be adopted:

WHEREAS, Bill Gandy is a graduate of SFA with a BS in Biology in 1968 and Barbara has developed a devotion for the university; and

WHEREAS, they were the chairpersons of the Share the Legacy Fundraising Campaign in the Nacogdoches area from 1998 to 2003; and

WHEREAS, Bill Gandy received the Nancy Speck Development Award in 2009; and

WHEREAS, they are recognized for their generous cumulative giving and were inducted into the Fredonia Society in 2010; and

WHEREAS, they support many areas of the university including providing initial housing for coaches and the director of athletics, and have three endowed scholarships for students at SFA; and

WHEREAS, Barbara Gandy has served on the SFA Friends of Music committee ten years, served as board president, and as co-chairman of the committee, and raised funds for a variety of scholarships and programs. While Bill Gandy has served on the SFASU Foundation board of trustees since 2001 and served as vice president, as chair from 2006 to 2010, on the finance committee, and as membership chairman for several years; and

WHEREAS, in their loyal dedication to the university through their generous gifts of support and standards of excellence, they have set a distinguished example for others;

NOW, THEREFORE, LET IT BE RESOLVED, the Board of Regents expresses its admiration, gratitude and high regard for Dr. Bill and Barbara Gandy by naming the men’s basketball player lounge in the Loddie Naymola Basketball Performance Center the Dr. Bill and Barbara Gandy Men’s Basketball Player Lounge.

FINANCE AND AUDIT COMMITTEE

BOARD ORDER 20-74
Upon motion by Regent Mason, seconded by Regent Gantt, will all members voting aye, it was ordered that the following financial affairs items be approved.

ACKNOWLEDGE RECEIPT OF AUDIT SERVICES REPORT

The Board of Regents acknowledged receipt of the audit services report as presented including the following:
Financial Aid Departmental Audit
Institutional Effectiveness Departmental Audit
Payroll Expenditures Audit
Contract Management Audit
Training Audit
SACS Financial Statement Review
Firewall Audit
Update on Audit Plan

APPROVAL OF ANNUAL AUDIT PLAN FOR 2020-21

WHEREAS, the board members considered the following: According to the Board Rules and Regulations, the chief audit executive shall annually submit information on the annual audit plan, work schedule and staffing plan to the president for review and to the Board of Regents for their approval.

THEREFORE, it was ordered that the annual audit plan be approved as presented in Appendix 3.

BOARD ORDER 20-75
Upon motion by Regent Mason, seconded by Regent Olson, with all members voting aye, it was ordered that the following financial affair item be approved.

APPROVAL OF THE 2022-23 LEGISLATIVE APPROPRIATIONS REQUEST – CAPITAL AND EXCEPTIONAL

WHEREAS, the board members considered the following: During each summer that precedes the State of Texas legislative session, state-funded entities prepare their respective legislative appropriations request (LAR). The LAR provides different types of institutional information as prescribed by the Legislative Budget Board, and in addition, acts as the funding request mechanism for state entities. Stephen F. Austin State University has developed two capital funding requests and an exceptional item request, effective with the fiscal year that begins on September 1, 2021.

The first capital request is to provide funding for the construction of a $45,000,000 Agriculture and Technology Complex, and the second is to provide funding to construct a $53,000,000 Interdisciplinary and Applied Sciences Building. As an operating complement to the capital request, the administration proposes to request an operating exceptional item to fund a Center for Applied Research and Rural Innovation.

THEREFORE, it was ordered to request capital funding in the 2022-23 Legislative Appropriations Request (LAR) to construct a $45,000,000 Agriculture and Technology Complex and a $53,000,000 Interdisciplinary and Applied Sciences Building. The administration also recommends approval to include an exceptional item request in the 2022-23 LAR to fund a Center for Applied Research and Rural innovation in the amount of $1,000,000 per year for a biennial total of $2,000,000.

BOARD ORDER 20-76
Upon motion by Regent Mason, seconded by Regent Gantt, with all members voting aye, it was ordered that the following financial affairs items be approved.
ADOPTION OF FISCAL YEAR 2020-21 INSTITUTIONAL OPERATING BUDGET

WHEREAS, the board members considered the following: In accordance with Article III of the State of Texas General Appropriations Act for the 2020-2021 biennium, the administration submits the proposed fiscal year 2020-21 institutional operating budget that totals $265,466,806. The proposed budget contains a five percent reduction in mandatory tuition and fee revenue from fiscal year 2020’s actual revenue. A detailed Higher Education Fund (HEF) allocation is included.

THEREFORE, it was ordered that the 2020-21 annual operating budget that totals $265,466,806 and the HEF allocation be approved as presented in Appendix 4.

APPROVAL OF CHANGES IN COURSE FEES

WHEREAS, the board members considered the following: Course and lab fees provide instructional departments with funds to support the actual cost of consumable supplies, service, and travel related to specific courses. Course and lab fees are allocated to instructional departments for expenditures that are necessary for course delivery. Course delivery expenditures are re-evaluated annually in order to make necessary changes to fees.

THEREFORE, it was ordered the acceptance of course and lab fee deletions, approved by the President, to be effective summer 2020. All deletions are listed in Appendix 5.

APPROVAL OF STUDENT ONLINE-ONLY FEE CHANGE

WHEREAS, the board members considered the following: At the January 28, 2020 meeting, the SFA Board of Regents approved an annual tuition/fee plan and a four-year fixed rate tuition/fee plan. The plans lock the twelve-semester credit hour tuition and fee charge at $5,300 for the annual plan and $5,675 for the four year guaranteed fixed-rate plan. The fixed twelve-semester credit hour costs for both plans include in-person instruction, online only instruction, or a combination of the two modalities.

There is some difference in the price structure for in-person instruction and online students. Currently, at a twelve-semester credit hour level, in-person instructed students pay $120 for the recreation center and $85 for the student center. Online-only students are currently exempted from these fees. Online-only students pay a distance education fee of $33 per semester credit hour, and in-person instructed students do not.

The different fee structures pose challenges in charging a combination of fees that result in a flat rate of $5,300 at a twelve-semester credit hour level. To provide flexibility to flatten or fix tuition and fees at a $5,300 or $5,675 twelve-semester credit hour level, the administration wishes to cap the $33 per semester credit hour distance education fee at twelve semester credit hours and remove the recreation and student centers exemptions for online-only students. The intention of the options is to charge a flat rate at a twelve-semester credit hour level without regard to specific tuition and fee fluctuation.

THEREFORE, it was ordered to remove the online-only student recreation center and student center exemptions, and in addition, recommends the distance education fee charged to online students be capped at the twelve-semester credit hour level, beginning the fall 2020 semester.
APPROVAL OF INFORMATION TECHNOLOGY SERVICES CLOUD SOFTWARE PURCHASES

WHEREAS, the board members considered the following: Consistent with software applications in the broader environment, the university has many software applications that are cloud-based. For fiscal year 2021, there are a number of software packages that must be acquired and/or upgraded. These particular software application purchases are institutional in nature, and available for support from the Higher Education Fund (HEF). A detailed list of the software applications are provided.

THEREFORE, it was ordered that HEF funding in the amount of $1,592,178 be utilized for the cloud-based software applications.

APPROVAL OF COMPUTER PURCHASE AND REPLACEMENT

WHEREAS, the board members considered the following: Policy 17.4, Computer Purchase and Replacement, governs the university’s computer acquisition and replacement process. The policy stipulates that computer and workstation replacement evaluations will occur on a five-year cycle. Portable computer replacement evaluations will occur on a four-year cycle. Either evaluation may be deferred as a result of budget constraints or administrative discretion. The administration has determined that certain computer configurations need to be replaced.

THEREFORE, it was ordered that for fiscal year 2021, a $750,000 HEF allocation to replace computers as directed by the Computer Purchase and Replacement Policy.

APPROVAL OF CLASSROOM INSTRUCTIONAL DELIVERY UPGRADES

WHEREAS, the board members considered the following: In response to COVID-19, President Trump signed the federal CARES Act into law on March 27, 2020. Subsequently, the Secretary of Education provided guidelines that emphasized the use of CARES Act funding to expand remote learning programs and support institutional technology needed to deliver those programs. The CARES Act provided funds that are being used to obtain technology-related instructional delivery equipment and upgrade classrooms to expand remote instructional delivery.

THEREFORE, it was ordered to fund classroom updates, equipment and technology support, and IT capacity expansion using CARES Act funds, at a cost not to exceed $2.6 million. The administration further recommends presidential authorization to sign associated purchase orders and contracts of $500,000 or more.

BOARD ORDER 20-77

Upon motion by Regent Mason, seconded by Regent Olson, with all members voting aye, it was ordered that the following financial affairs item be approved.

APPROVAL OF VOLUNTARY SEPARATION INCENTIVE PLAN

WHEREAS, the board members considered the following: The administration has developed a voluntary separation incentive plan (VSIP) that would provide an institutional early retirement option for faculty and staff who meet certain criteria:
• Be a regular full-time faculty or staff employee;
• Meet state retirement eligibility, typically based on the rule of 80 (age plus years of qualifying experience equals at least 80), or be age 65 on or before August 31, 2021;
• Have not already retired from the university prior to July 1, 2020;
• Have not already submitted retirement paperwork to Human Resources prior to July 1, 2020, or notified their department of retirement prior to September 1, 2020.

The plan begins on September 1, 2020 and ends August 31, 2021. The VSIP provides a one-time incentive payment of fifty percent (50%) of a participating employee’s annual base salary (excluding additional assignments, stipends, overtime, state longevity pay, or any other form of remuneration).

The purpose of the VSIP is to provide an incentive for those who are eligible to retire. The VSIP will require the use of institutional fund balance to fund the incentive payments. However, the institutional plan is to either not refill the position for those who retire or fill the vacated position at a lower salary. Based on participation projections, the VSIP could require over $2.5 million using institutional fund balance to fund the program for fiscal year 2021.

THEREFORE, it was ordered to utilize the institutional fund balance, not to exceed $2.5 million, to provide funding for the voluntary separation incentive plan developed for fiscal year 2021.

BOARD ORDER 20-78
Upon motion by Regent Mason, seconded by Regent Henderson, with all members voting aye, it was ordered that the following financial affairs item be approved.

APPROVAL OF GRANT AWARDS

WHEREAS, the board members considered the following: For fiscal year 2020, the multi-year grant award total is currently $26,188,779. Of this total, grant awards allocable to fiscal year 2020 are currently $17,046,428, an increase of $10,775,125 since the last report.

The grant awards result from extensive faculty research and service engagement across many academic disciplines. The grants include direct federal, federal pass through, state and private awards.

THEREFORE, it was ordered that the grant awards for fiscal year 2020 grant awards that total $10,775,125 be approved and ratified. The grant awards are detailed in Appendix 6.

BOARD ORDER 20-79
Upon motion by Regent Mason, seconded by Regent Henderson, with all members voting aye, it was ordered that the following financial affairs item be approved.

APPROVAL OF UTILIZATION OF QUASI-ENDOWMENT FUND

WHEREAS, the board members considered the following: The College of Liberal and Applied Arts (CLAA) engaged in a significant strategic planning exercise during the AY 19-20. The initiative involved a high proportion of the college’s faculty and the CLAA Advisory Board. The recommendations from this process align with university strategic directions, and their
implementation will lead to significant pilot projects (e.g., redesign of core curriculum courses, pedagogical innovation, and curriculum revision).

At its October 18, 2011 meeting, the Board of Regents established a CLAA quasi-endowment, consisting of an initial gift of $70,000, to support academic programs in the college. The CLAA desires to utilize a portion of this quasi-endowment to provide resources to implement the strategic planning recommendations. The quasi-endowment fund currently holds approximately $85,000, and CLAA requests $35,000 be withdrawn and designated for this effort.

THEREFORE, it was ordered that a withdrawal of $35,000 from the College of Liberal and Applied Arts quasi-endowment funds to maintain or increase the college’s momentum toward realizing strategic and transformative initiatives.

BOARD ORDER 20-80
Upon motion by Regent Mason, seconded by Regent Henderson, with all members voting aye, it was ordered that the following financial affairs item be approved.

APPROVAL OF CONTRACT RENEWAL FOR NAVIGATE PROGRAM

WHEREAS, the board members considered the following: The university participates in a Student Success Collaborative membership program with the EAB Global, Inc. This program is now referred to as the Navigate program which allows SFA access to a comprehensive student success management technology platform, best practice research and networking, change management, and implementation support including technical support. The university’s current membership expires on December 30, 2020. The administration is asking for approval to renew this contract for a total cost of $852,657 for a five year period that extends through December 30, 2025. The cost includes an annual program fee and annual travel and administrative fee.

THEREFORE, it was ordered to approve a five year contract through December 30, 2025 with EAB Global, Inc. for the Navigate program for an amount not to exceed $852,657. The administration further recommends that the president be authorized to sign the contract and associated purchase orders.

BOARD ORDER 20-81
Upon motion by Regent Mason, seconded by Regent Henderson, with all members voting aye, it was ordered that the following financial affairs item be approved.

APPROVAL OF CONTRACT REVIEW TEMPORARY SUSPENSION EXTENSION

WHEREAS, the board members considered the following: The Board of Regents Rules and Regulations and university policy, including but not limited to Contracting Authority (Policy 1.3), require that all contractual obligations of the university be reviewed by the Office of the General Counsel prior to execution. At the October 28, 2019 meeting of the Board of Regents, the board voted to temporarily suspend this requirement and authorize the General Counsel to issue procedures regarding categories of contractual obligations requiring legal review and exempt from legal review. This authority was effective January 1, 2020 through July 21, 2020. During this time period, COVID-19 resulted in a pivot of priorities for the university, and a vacancy occurred in the Office of the General Counsel. As a result, additional data is needed to accurately assess the impact
of this temporary suspension.

THEREFORE, it was ordered that the provision(s) in the Board of Regents Rules and Regulations and university policies requiring all contractual obligations of the university be reviewed by the Office of the General Counsel prior to execution be further suspended to January 26, 2021. It is further recommended that the General Counsel be authorized to issue procedures regarding categories of contractual obligations requiring legal review and exempt from legal review.

**BOARD ORDER 20-82**
Upon motion by Regent Mason, seconded by Regent Alders, with all members voting aye, it was ordered that the following financial affairs items be approved.

**FINANCE AND AUDIT POLICY REVISIONS**
The Board of Regents adopted the following policy revisions as presented in Appendix 2:

- Annual Budget Preparation 3.2.
- Fixed Rate Tuition Plan 3.4.
- Gifts, Prizes and Awards 3.18
- Procurement Card 17.11
- Property Inventory and Management 17.14
- Staff Compensation and Classification 12.2.
- Year-End Purchasing 17.24.

**REPORTS**
Dr. Scott Gordon, president, reported to the regents on the following topics:

- Suspended/Modified Policies since April Report
- COVID-19 – Continued Recovery Effort
- Post COVID-19 – The New Model for Higher Education
- Progress on Current Initiatives
- Looking ahead to Fall 2020

Dr. Andrew Lannen, faculty senate chair, gave a report on the following topics:

- Introduction
- Faculty Accomplishments
- COVID-19 and Uncertainty
- Opportunity for Question

Mr. Chris Moore, Student Government Association president, gave his first report to the board.

- Introduction
- COVID-19 and Student Organizations
- Fall 2020 Goals
Chair Frailey provided comments regarding the adjustments to the Board Committees with the recent appointments of Regent Flores and Student Regent Bramhall. The appointed Board Committees now consist of the following:

**EXECUTIVE AND LEGISLATIVE**
Alton Frailey, Chair  
Karen Gantt, Vice-Chair  
Tom Mason, Secretary

**ACADEMIC AND STUDENT AFFAIRS**
Brigettee Henderson, Chair  
David Alders  
Jennifer Winston  
Ireland Bramhall  
Alton Frailey, ex-officio

**BUILDING AND GROUNDS**
David Alders, Chair  
Scott Coleman  
Judy Olson  
Alton Frailey, ex-officio

**FINANCE AND AUDIT**
Tom Mason, Chair  
Karen Gantt  
Robert Flores  
Alton Frailey, ex-officio

The meeting was adjourned by Chair Alton Frailey at 10:35 a.m.
Stephen F. Austin State University
Board of Regents
Evaluation

The Board of Regents hereby conducts this self-evaluation of its responsibilities and expectations, with consideration given to the principles of board governance as specified by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC), applicable state law, the Board of Regents Rules and Regulations, and the SFA strategic plan.

Orientation and Education

i. New members of the Board are provided an orientation session with university leadership and direct reports. This orientation provides an overview of each area of operations in advance of those members’ first meeting and introduces the legal obligations of members of the Board. The Texas Higher Education Coordinating Board further provides an orientation session regarding legal obligations and best governance practices.

Current orientation content and process meets the needs of new Board members, and new Board members understand the legal obligations and expectations.

<table>
<thead>
<tr>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Neutral</th>
<th>Agree</th>
<th>Strongly Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

□ Steps for Improvement: University orientation is sufficient and informative. THECB training should include more basic info on higher education funding, applicable laws, etc.

ii. At the request of the chair, the Board may be provided a refresher training regarding their duties and responsibilities, including those duties required by law, and best practices in board governance. This includes, but is not limited to, the policy-making role of the Board, its fiduciary responsibilities in the management of funds, proper influence of external stakeholders, essential responsibilities, and accountability.

The Board is aware of its legal obligations and expectations. Current process for refresher training meets the Board’s needs.

<table>
<thead>
<tr>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Neutral</th>
<th>Agree</th>
<th>Strongly Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

□ Steps for Improvement: Refresher training would be welcomed if relevant.

Legal Responsibilities

i. The Board is expected to preserve institutional independence and to defend its right to manage its own affairs through its chosen administrators and employees.

The Board effectively advocates for the university’s independence and ability to manage its own affairs.
Steps for Improvement: _______________________________________________________

The Board shall enhance the public image of each institution under its governance.

The Board actively and effectively enhances the public image of the university.

Steps for Improvement: Some responsibility for the negative publicity related to the NCAA infractions and penalties ultimately must be borne by the Board. Clearly, there was a management and oversight failure, and ultimately the Board has to bear some responsibility.

The Board shall interpret the community to the campus and the campus to the community.

The Board actively and effectively manages and nurtures community-university relations.

Steps for Improvement: _______________________________________________________

The Board shall nurture each institution under its governance to the end that each institution achieves its full potential within its role and mission.

The Board actively and effectively nurtures the university, enabling it to achieve its full potential within its stated role and mission.

Steps for Improvement: The Board needs a stronger understanding, acceptance, alignment, and energy around the mission statement. Additionally, the focus and mission of the university should be made clearer and the Board needs to communicate more in that regard.

The Board shall provide the policy direction for each institution of higher education under its management and control.
The Board actively and effectively provides policy direction for the university.

<table>
<thead>
<tr>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Neutral</th>
<th>Agree</th>
<th>Strongly Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td>□</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

Steps for Improvement: Given that the budget process is the key ranking of the university’s priorities and strategic direction and given recent budget impacts, it might have been helpful for the board to engage in a budget workshop in advance of the budget-setting meeting.

Organization and Structure

i. Board Rules are reviewed and revised on an as-needed basis, usually due to a change in law or regulation.

The Board Rules are reviewed and revised in an appropriate manner.

<table>
<thead>
<tr>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Neutral</th>
<th>Agree</th>
<th>Strongly Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td>□</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

Steps for Improvement:

ii. Board Rules provide that regular quarterly meetings will take place, usually in January, April, July, and October. The annual meeting in April is required by law.

Current meeting structure meets the Board’s needs.

<table>
<thead>
<tr>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Neutral</th>
<th>Agree</th>
<th>Strongly Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td>□</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

Steps for Improvement: Such times of deep uncertainty might suggest a need for more meetings than have been scheduled.

iii. There are three elected officers of the Board: Chair, Vice Chair, and Secretary.

Current officer structure and duties meets the Board’s needs.

<table>
<thead>
<tr>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Neutral</th>
<th>Agree</th>
<th>Strongly Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td>□</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

Steps for Improvement:

iv. There are four standing committees of the Board: Executive, Academic and Student Affairs, Building and Grounds, and Finance and Audit. A nominating committee is selected by the Chair at the October meeting. Special committees may be appointed as necessary.

Current committee structure and duties meets the Board’s needs.

<table>
<thead>
<tr>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Neutral</th>
<th>Agree</th>
<th>Strongly Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td>□</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>
v. The Board elects four positions directly: President, General Counsel, Chief Audit Executive, and Coordinator of Board Affairs/Compliance. The Board Rules briefly describe the duties and responsibilities of each position. These positions are appointed on an annual basis and serve at the pleasure of the Board.

*Current selection and evaluation process meets the Board’s needs.*

<table>
<thead>
<tr>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Neutral</th>
<th>Agree</th>
<th>Strongly Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

vi. The Board Rules require the chair of the Board to ensure the Board is apprised of its duties and responsibilities provided under law, and assign which areas of the university each committee will oversee. University policy lists any items that require Board approval prior to the university taking action.

*Board Rules and university policy effectively clarify the role and limits of the Board.*

<table>
<thead>
<tr>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Neutral</th>
<th>Agree</th>
<th>Strongly Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

vii. The Board Rules detail the authority, duties and responsibilities of the university president. The duties and responsibilities are also supplemented by university policy approved by the Board.

*Board Rules and university policy effectively clarify the role and authority of the president.*

<table>
<thead>
<tr>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Neutral</th>
<th>Agree</th>
<th>Strongly Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

viii. By law, the Board must provide the policy direction for the university. The Board Rules state that the president “shall have discretionary powers broad enough to effectively administer the university within the policies and procedures as set forth” by the Board.

*Board Rules and university policy effectively distinguish the roles between the Board and the president.*

<table>
<thead>
<tr>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Neutral</th>
<th>Agree</th>
<th>Strongly Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

□  *Steps for Improvement:* ________________________________
ix. The format and content of the Board Report is described in the Board Rules. It must be submitted to all members of the Board and the secretary at least ten days in advance of a meeting.

Current board report structure and process meets the Board’s needs.

<table>
<thead>
<tr>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Neutral</th>
<th>Agree</th>
<th>Strongly Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

☐ Steps for Improvement: 

x. Most board action items must be first presented through one of the standing committees. Exceptions include personnel and gifts/donations. An item must have a majority vote of the committee to proceed to the full Board for consideration. A majority vote of the Board will result in the item passing. The Chair will vote in the event of a tie.

Current approval structure for action items meets the Board’s needs and is sufficient to prevent undue influence by a minority of members or by external forces.

<table>
<thead>
<tr>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Neutral</th>
<th>Agree</th>
<th>Strongly Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

☐ Steps for Improvement: Construction projects considered by the Buildings and Grounds committee should be discussed and deliberated prior to the meeting to select a contractor and/or architect.

xi. At each quarterly meeting, the Board approves the minutes from the prior meeting. These minutes are prepared by the coordinator of board affairs/compliance and organized by committee. They further contain a listing of any reports presented to the Board at the meeting, and any appendices accompanying each item.

Board minutes are clear and accurate, providing sufficient detail to capture the results of deliberations.

<table>
<thead>
<tr>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Neutral</th>
<th>Agree</th>
<th>Strongly Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

☐ Steps for Improvement: 

xii. Board rules and SFA policy prohibit the approval of any contract or agreement of any character in which a member of the Board, directly or indirectly, has a pecuniary or substantial interest, without prior advice of the general counsel. Members are required to self-disclose any potential direct or indirect pecuniary or substantial interests in matters pending before the Board. Information regarding known potential conflicts is maintained by SFA’s procurement department.

Current safeguards and procedures are sufficient to identify and prevent conflicts of interest.

<table>
<thead>
<tr>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Neutral</th>
<th>Agree</th>
<th>Strongly Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>
The Board serves in a fiduciary role. The board receives an update from its financial managers and approves SFA’s investment policy on an annual basis. A regent serves as an investment liaison officer to administration. The Board receives an update on outstanding construction projects and significant contracts every quarter.

Current practice keeps the Board informed of the financial health of SFA.

<table>
<thead>
<tr>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Neutral</th>
<th>Agree</th>
<th>Strongly Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

SFA Strategic Plan

i. SFA’s mission, as stated in SFA Envisioned, 2015-2023 Strategic Plan is as follows: “Stephen F. Austin State University is a comprehensive institution dedicated to excellence in teaching, research, scholarship, creative work, and service. Through the personal attention of our faculty and staff, we engage our students in a learner-centered environment and offer opportunities to prepare for the challenges of living in a global community.” The Board acts to uphold this mission through its approval of personnel and initiatives, and evaluation of leadership.

The Board supports and maintains its focus on the mission of SFA.

<table>
<thead>
<tr>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Neutral</th>
<th>Agree</th>
<th>Strongly Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

ii. SFA Envisioned has the overarching goal of “Transformative Experiences for SFA Students.” This goals states that SFA will be deeply committed to providing high impact, experiential learning for all SFA students; students will be engaged and empowered; and students will graduate with the marketable skills and qualities necessary to be leaders in their fields. The Board acts to support this overarching goal through its approval of personnel and initiatives, and evaluation of leadership.

The Board supports and maintains its focus on the overarching goal of SFA Envisioned.

<table>
<thead>
<tr>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Neutral</th>
<th>Agree</th>
<th>Strongly Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

iii. SFA Envisioned has the foundational goal of “Meaningful and Sustained Enrollment Growth.” This goal states that SFA will expand its reach and increase enrollment, not merely for the sake of growth, but because it is committed to its responsibility to Texans. It further adds this will
be accomplished through an appropriate mix of programs, delivery methods and locations. The Board acts to support this foundational goal through its approval of personnel and initiatives, and evaluation of leadership.

*The Board supports and maintains its focus on the foundational goal of SFA Envisioned.*

<table>
<thead>
<tr>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Neutral</th>
<th>Agree</th>
<th>Strongly Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

☐ *Steps for Improvement:* Develop stronger partnerships with the community for its development and attractiveness to prospective students, faculty, and staff.

iv. SFA Envisioned has a supporting goal to “Attract and Support a High-Quality Faculty and Staff”. This goal contains two broad strategies: (1) provide salary support that reflects the importance of current faculty and staff and aids in recruitment of new faculty and staff; and (2) provide attractive quality-of-life support and incentives to current and new faculty and staff that reflect a professional environment. The Board acts to support this supporting goal through its approval of personnel and initiatives, and evaluation of leadership.

*The Board supports and maintains its focus on this supporting goal of SFA Envisioned.*

<table>
<thead>
<tr>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Neutral</th>
<th>Agree</th>
<th>Strongly Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

☐ *Steps for Improvement:* Develop stronger partnerships with the community for its development and attractiveness to prospective students, faculty, and staff.

v. SFA Envisioned has a supporting goal to “Foster Academic and Co-Curricular Innovation.” This goal has already implemented several recommendations from working groups, including the Student Success Center, funds for classroom furniture and technology, re-branding of the Center for Career and Professional Development, introduction of the Lumberjack GROW program, and a marketing campaign aimed at the development of soft skills. Teams are currently reviewing recommendations regarding educator development opportunities and co-curricular programs. Other strategy teams include student mentoring and affordability. The Board acts to support this supporting goal through its approval of personnel and initiatives, and evaluation of leadership.

*The Board supports and maintains its focus on this supporting goal of SFA Envisioned.*

<table>
<thead>
<tr>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Neutral</th>
<th>Agree</th>
<th>Strongly Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

☐ *Steps for Improvement:* ____________________________________________________

vi. SFA Envisioned has a supporting goal to “Redefine University Culture.” The goal focuses on increasing employee engagement in three areas: (1) leadership enhancement programs; (2) paradigm change from a culture of compliance to one of goal/value based initiatives; and (3) cultural construction and communication. The Board acts to support this supporting goal through its approval of personnel and initiatives, and evaluation of leadership.
The Board supports and maintains its focus on this supporting goal of SFA Envisioned.

<table>
<thead>
<tr>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Neutral</th>
<th>Agree</th>
<th>Strongly Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>T</td>
<td>T</td>
</tr>
</tbody>
</table>

- Steps for Improvement: More support and acceptance throughout the university is needed.

vii. SFA Envisioned has a supporting goal to “Increase Connections.” This goal includes building relationships with a variety of constituents, including K-12, two-year institutions, local government, alumni, and corporate partners. The Board acts to support this supporting goal through its approval of personnel and initiatives, and evaluation of leadership.

The Board supports and maintains its focus on this supporting goal of SFA Envisioned.

<table>
<thead>
<tr>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Neutral</th>
<th>Agree</th>
<th>Strongly Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

- Steps for Improvement: ________________________________

Evaluation

Considering the board self-evaluations are a SACSCOC requirement and a best practice, what improvements can be made to the self-evaluation processes?

Process works well and addresses all significant items of Board responsibility.

This evaluation of the Stephen F. Austin State University Board of Regents has been carefully considered and consisted of a critical assessment of Board structure and governance by all regents present on this, the 21st day of July, 2020.

______________________________
Chair, Board of Regents
<table>
<thead>
<tr>
<th>Policy Name</th>
<th>Policy Number</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Academic Advising for Undergraduate Students</td>
<td>6.2.</td>
<td>1</td>
</tr>
<tr>
<td>Academic Facilities for Non-Academic Activities</td>
<td>16.1.</td>
<td>4</td>
</tr>
<tr>
<td>Annual Budget Preparation</td>
<td>3.2.</td>
<td>6</td>
</tr>
<tr>
<td>Course Fees</td>
<td>3.8.</td>
<td>8</td>
</tr>
<tr>
<td>Curriculum Reviews, Modifications and Approvals</td>
<td>5.7.</td>
<td>10</td>
</tr>
<tr>
<td>Developmental Education and the Texas Success Initiative</td>
<td>5.8.</td>
<td>13</td>
</tr>
<tr>
<td>Discrimination Complaints</td>
<td>2.11.</td>
<td>15</td>
</tr>
<tr>
<td>Fixed Tuition Price Plans</td>
<td>3.4.</td>
<td>26</td>
</tr>
<tr>
<td>Gifts, Prizes and Awards</td>
<td>3.18.</td>
<td>30</td>
</tr>
<tr>
<td>Hazing</td>
<td>10.3.</td>
<td>35</td>
</tr>
<tr>
<td>Kennedy Auditorium</td>
<td>16.14.</td>
<td>40</td>
</tr>
<tr>
<td>Parking and Traffic Regulations</td>
<td>13.14.</td>
<td>45</td>
</tr>
<tr>
<td>Part-time Faculty</td>
<td>7.21.</td>
<td>74</td>
</tr>
<tr>
<td>Procurement Card</td>
<td>17.11.</td>
<td>76</td>
</tr>
<tr>
<td>Property Inventory and Management</td>
<td>17.14.</td>
<td>82</td>
</tr>
<tr>
<td>Public and Student Health</td>
<td>13.16.</td>
<td>89</td>
</tr>
<tr>
<td>Records Management</td>
<td>2.9.</td>
<td>92</td>
</tr>
<tr>
<td>Reduction in Force of Non-Academic Employees</td>
<td>11.23.</td>
<td>95</td>
</tr>
<tr>
<td>Sexual and Gender-Based Discrimination, Violence, Harassment, and Misconduct</td>
<td>2.13.</td>
<td>102</td>
</tr>
<tr>
<td>Staff Compensation and Classification</td>
<td>12.2.</td>
<td>133</td>
</tr>
<tr>
<td>Student Code of Conduct</td>
<td>10.4.</td>
<td>142</td>
</tr>
<tr>
<td>Student Internships</td>
<td>11.29.</td>
<td>163</td>
</tr>
<tr>
<td>Telecommuting</td>
<td>11.27.</td>
<td>168</td>
</tr>
<tr>
<td>Undergraduate Admission and Credits</td>
<td>6.20.</td>
<td>173</td>
</tr>
<tr>
<td>Use of Amplified Sound on Campus Grounds</td>
<td>16.31.</td>
<td>181</td>
</tr>
<tr>
<td>Volunteer Workers</td>
<td>11.32.</td>
<td>183</td>
</tr>
<tr>
<td>Wellness Release Time</td>
<td>13.25.</td>
<td>187</td>
</tr>
<tr>
<td>Year-End Purchasing</td>
<td>17.24.</td>
<td>190</td>
</tr>
</tbody>
</table>
Policy Name: Academic Advising for Undergraduate Students

Policy Number: 6.2

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: April 25, 2017

Unit(s) Responsible for Policy Implementation: Provost and Vice President for Academic Affairs

Purpose of Policy (what does it do): Guidelines and requirements regarding academic advising for undergraduate students

Reason for the addition, revision, or deletion (check all that apply):
- [x] Scheduled Review
- [ ] Change in law
- [ ] Response to audit finding
- [ ] Internal Review
- [ ] Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: Updated requirements for Undecided students to declare a major and file a degree plan.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Academic Policy Committee
Steve Bullard, Provost and Vice President for Academic Affairs
Damon Derrick, General Counsel
Academic Advising for Undergraduate Students

Original Implementation: October 31, 2000
Last Revision: April 25, 2017 July 21, 2020

Each academic unit will provide systematic and effective advising for all its undergraduate students. An advising session is mandatory for undergraduate students prior to registration for courses in the following situations:

- Each semester for students with fewer than 60 earned hours of credit;
- Each semester for students on academic probation;
- Annually for students with 60 or more earned hours of credit.

Students retain the right may choose to be advised more frequently. Individual academic units may require students to participate in mandatory advising. Students who are listed as Undecided are required to declare a major and file an official degree plan—no later than the end of the semester following the completion of 45 earned hours of credit. Students are required to file an official degree plan no later than the end of the semester following the completion of 30 earned hours of credit.

The responsibilities of the academic advisor will include, but are not limited to, informing advisees of the following:

- Short- and long-term plans to accomplish educational objectives;
- Program options that match a student’s goals, interests, and abilities;
- Information about degree requirements, such as the core curriculum, major-specific courses, course sequencing, minimum grade-point averages, removal of withheld grades, and time limits for completion of degree programs;
- University requirements, such as minimum course load for full-time classification, repeat courses on grade-point average, timetable for dropping courses, and residency requirements;
- Deadlines to submit degree and graduation plans.

During each registration period, academic units must provide daily advising opportunities. Academic advising for undergraduate students must be annually evaluated as part of the unit assessment process.


Responsible for Implementation: Provost and Vice President for Academic Affairs

Contact for Revision: Provost and Vice President for Academic Affairs

Forms: None
Board Committee Assignment: Academic and Student Affairs
Policy Name: Academic Facilities for Non-Academic Activities

Policy Number: 16.1

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: January 31, 2017

Unit(s) Responsible for Policy Implementation: Provost and Vice President for Academic Affairs; Vice President for University Affairs

Purpose of Policy (what does it do): Provides guidelines for using academic facilities for non-academic activities.

Reason for the addition, revision, or deletion (check all that apply):
- [x] Scheduled Review
- [ ] Change in law
- [ ] Response to audit finding
- [ ] Internal Review
- [ ] Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: Added cross-reference policies: Class Meeting Times (4.12) and Course Space Scheduling (4.13); Kennedy Auditorium (16.14)

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Academic Policy Committee
Steve Bullard, Provost and Vice President of Academic Affairs
Damon Derrick, General Counsel
Academic Facilities for Non-Academic Activities

Original Implementation: 1979
Last Revision: January 31, 2017 July 21, 2020

The provisions of the policy on the Use of University Facilities (16.33) govern the use of all buildings, facilities, equipment, and grounds, hereafter referred to as facilities, under the control of Stephen F. Austin State University. That policy provides that the university may establish additional procedures for the reservation and use of specific facilities; therefore, the following provisions apply to academic facilities for non-academic activities.

Academic facilities may be made available for non-academic activities upon request and approval of the dean of the college or the facility director, subject to established regulations and policies. Efforts should be made to accommodate these requests whenever possible. Extensive or repeated use of the facility may require implementation of a facility use agreement. Procedures for requiring property deposits or facility use agreements must be in writing and have the approval of the president, provost and general counsel. Questions relating to contractual conditions should be directed to the dean of the college or facility director, who may as necessary, consult with the general counsel. The use of all facilities is subject to permissible assignment and scheduling.

Cross Reference: Class Meeting Times (4.12); Course Space Scheduling (4.13); Kennedy Auditorium (16.14); Use of University Facilities (16.33); Turner Auditorium (16.30)

Responsible for Implementation: Provost and Vice President for Academic Affairs; Vice President for University Affairs

Contact for Revision: Provost and Vice President for Academic Affairs, Vice President for University Affairs

Forms: None

Board Committee Assignment: Academic and Student Affairs
POLICY SUMMARY FORM

Policy Name: Annual Budget Preparation

Policy Number: 3.2

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 11/07/16

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): This policy describes the guidelines and processes used to prepare the university's annual budget.

Reason for the addition, revision, or deletion (check all that apply):
- [x] Scheduled Review
- [ ] Change in law
- [ ] Response to audit finding
- [ ] Internal Review
- [ ] Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for each substantive revision: N/A

Specific rationale for deletion of policy: N/A

Additional Comments:

Minor formatting changes

Reviewers:

Danny Gallant, Vice President for Finance and Administration
Damon Derrick, General Counsel
Annual Budget Preparation

Original Implementation: March 1, 1989
Last Revision: July 21, 2020
November 7, 2016

Purpose

This policy describes the guidelines and processes used to prepare the university’s annual budget.

General

Preparation of the annual operating budget is coordinated through the Office of the Vice President for Finance and Administration. Guidelines are established by the president based upon legislative appropriations, student tuition, fees and other local income, non-pledged and pledged auxiliary student fees and other income, the university’s allocation of the Higher Education Fund, and estimates of other fund revenues. Guidelines will reflect current legislative appropriation riders in effect and any other legal restrictions. Budgets will be prepared by operating department heads and submitted through the appropriate channels for review and approval. The schedule for preparation of the budget will be determined by the vice president for finance and administration in association with the president's cabinet. Approved budgets will be announced to the university departments through administrative channels following approval of the Board of Regents.

All budgets are based on available funds and no expenditures may be made except as provided for in the approved budget or in accordance with changes approved by the board or president in accordance with university policy.

Cross Reference: None

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Vice President for Finance and Administration

Forms: None

Board Committee Assignment: Finance and Audit
POLICY SUMMARY FORM

Policy Name: Course Fees

Policy Number: 3.8

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: July 25, 2017

Unit(s) Responsible for Policy Implementation: Provost and Vice President for Academic Affairs

Purpose of Policy (what does it do): Guidelines for charging course fees

Reason for the addition, revision, or deletion (check all that apply):
- [x] Scheduled Review
- [ ] Change in law
- [ ] Response to audit finding
- [ ] Internal Review
- [ ] Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision:

Specific rationale for deletion of policy:

Additional Comments:

No changes. This policy is to remain active until August 31, 2021, at which time all carried over course fees must be spent.

Reviewers:

Academic Policy Committee
Steve Bullard, Provost and Vice President for Academic Affairs
Damon Derrick, General Counsel
Course Fees

Original Implementation: April 30, 2001
Last Revision: July 25, 2017 July 21, 2020

Each course, other than a laboratory class, offered by the university may charge a course fee. Laboratory classes charge a fee for the purpose of providing materials and supplies in the laboratory (see policy 3.22, Laboratory Fees). Course Fees are governed by the Texas Education Code.

The course fee charged must reasonably reflect the actual cost to the university of the materials and services for which the fee is collected. These funds will be used to cover the cost of materials, supplies, and/or services that result in a direct educational benefit to the students currently enrolled, including such things as guest lecturers or travel expenses to off-campus locations.

Fees are normally considered to cover the cost of goods and services to be consumed within the course of one semester. Accounts used to handle fees for consumable goods and services are not intended to accumulate a balance. However, if a balance is accumulated in a course fee account, the balance will be spent for a similar purpose as outlined on the course fee request form to meet the academic needs of the course. Any changes or deletions will follow the standard approval process.

Fees may also be assessed to cover the value consumed by students of durable goods (or other equipment or software) in one semester, when the goods have a life span of more than one semester and are not intended or designed to be consumed in one semester. Accounts intended for this purpose may accumulate a balance. These accumulated balances may only be used to fund the purchase of the goods, equipment, or software specified on the original course fee request.

Course fees recommended by the academic unit head must be approved by the dean of the college and the provost and vice president for academic affairs. All fees will be reviewed annually at the academic unit level for appropriateness and accuracy. New and changed fees will be submitted to the Board of Regents for approval. The president is authorized to approve the deletion of course fees. Course fee deletions will be presented to the Board of Regents for acceptance at the next meeting. All course fees will be published in the appropriate media and will be collected by the controller's office through student billings. The lab and course fee request forms, with appropriate justification, will be retained in the Office of Academic Affairs as long as the fee exists plus three years.

Cross Reference: Tex. Educ. Code § 54.504; Laboratory Fees (3.22)

Responsible for Implementation: Provost and Vice President for Academic Affairs

Contact for Revision: Provost and Vice President for Academic Affairs

Forms: Lab and Course Fees

Board Committee Assignment: Academic and Student Affairs
POLICY SUMMARY FORM

Policy Name: Curriculum Reviews, Modifications and Approvals

Policy Number: 5.7

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: April 18, 2020

Unit(s) Responsible for Policy Implementation: Provost and Vice President for Academic Affairs

Purpose of Policy (what does it do): Guidelines for curriculum reviews, modifications and approvals

Reason for the addition, revision, or deletion (check all that apply):

☐ Scheduled Review ☐ Change in law ☐ Response to audit finding

☒ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: Removed references to changes in mode of delivery.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Academic Policy Committee
Steve Bullard, Provost and Vice President for Academic Affairs
Damon Derrick, General Counsel
Curriculum Reviews, Modifications and Approvals

Original Implementation: October 17, 1978
Last Revision: April 18, 2020 July 21, 2020

Introduction

It is the responsibility of each academic unit of the university to maintain current curricula and engage in continuous review of its curricula. The provost and vice president for academic affairs and appropriate dean will set timelines for the modification and approval process.

Curricular Modification Procedures

Curricular modifications include:

- new courses;
- core curriculum courses;
- modified courses (e.g., course title, credit hours);
- new programs (e.g., degrees, endorsements, certificates, minors, concentrations);
- modified programs (e.g., degrees, endorsements, certificates, minors, concentrations); and
- deletion of courses and/or programs (e.g., degrees, endorsements, certificates, minors, concentrations); and
- changes in mode of delivery such as off-campus face to face, online instruction, and other distance delivery methods.

Curricular modifications will be developed and submitted at the program level, and recommended for approval by:

- the academic unit;
- the academic unit head;
- the appropriate councils or committees in the college;
- the college dean;
- the university Undergraduate Council or Graduate Council;
- as appropriate, the Core Curriculum Advisory Committee;
- the Deans Council; and
- the provost and vice president for academic affairs.

In addition to the above steps, new courses and new, modified or deleted undergraduate and graduate programs and changes in mode of delivery will then be considered for approval by:

- the university president or president’s designee; and
- the Board of Regents.
Where appropriate, approval will then be sought from (and/or notification will be made to) the Texas Higher Education Coordinating Board (THECB), the Texas Education Agency, the Southern Association of Colleges and Schools, or other outside agencies and organizations.

Changes will be reflected in the General Bulletin and/or Graduate Bulletin after approval.

**Substantive Change**

Any curricular changes that involve substantive change as defined by the Southern Association of Colleges and Schools Commission on Colleges must be communicated by the Office of the Provost and Vice President for Academic Affairs to the appropriate entity and, if necessary under the rules on the entity, be approved before implementation. For further information, see the university policy on Substantive Change (4.10).

**Cross Reference:** THECB Instructions and Classification of Instructional Programs Codes; Certificate Programs (5.2); Course Fees (3.8); Laboratory Fees (3.22); Substantive Change (4.10); Academic Program Review (5.1); and Professional Educators' Council (5.16)

**Responsible for Implementation:** Provost and Vice President for Academic Affairs

**Contact for Revision:** Provost and Vice President for Academic Affairs

**Forms:** Forms for program revision, course proposals, substantive change, distance education and laboratory/course fee requests are available at the university website.

**Board Committee Assignment:** Academic and Student Affairs
POLICY SUMMARY FORM

Policy Name: Developmental Education and Texas Success Initiative

Policy Number: 5.8

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: January 31, 2017

Unit(s) Responsible for Policy Implementation: Provost and Vice President for Academic Affairs

Purpose of Policy (what does it do): Guidelines regarding undergraduate student academic readiness

Reason for the addition, revision, or deletion (check all that apply):
- [x] Scheduled Review
- [ ] Change in law
- [ ] Response to audit finding
- [ ] Internal Review
- [ ] Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: Changed monitoring responsibility from Academic Advising to Student Success Center

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Academic Policy Committee
Steve Bullard, Provost and Vice President for Academic Affairs
Damon Derrick, General Counsel
Developmental Education and Texas Success Initiative

**Original Implementation:** April 18, 2000  
**Last Revision:** January 31, 2017 July 21, 2020

The Texas Success Initiative (TSI) is a program administered by the Division of P-16 Initiatives at the Texas Higher Education Coordinating Board (THECB). The objective of the program is to ensure that students are prepared academically to succeed in higher education.

The TSI program requires institutions of higher education to assess the academic skills of each entering undergraduate student to determine the student’s academic readiness before initial enrollment in freshman-level academic coursework. The TSI Assessment is the diagnostic instrument for non-exempt students. The Division of P-16 Initiatives publishes current exemption standards at its website: www.thecb.state.tx.us/.

**TSI Advising Program**  
Individual advising will be provided to each student who has not yet demonstrated readiness in reading, writing, and/or math. The student’s TSI advisor will assist the student in developing an individual plan for achieving college readiness. This plan will include either traditional developmental course work or alternatives as approved by the THECB.

**Documentation**  
Each student’s updated TSI status will be documented on the official university transcript as readiness standards are met. It is the student’s responsibility to ensure that applicable transcripts or test scores from other institutions are supplied to SFA.

**Special Circumstances**  
TSI requirements may be waived for students enrolling on a temporary, non-degree-seeking basis. Students enrolling for dual or concurrent credit must meet eligibility requirements established by the Division of P-16 Initiatives.

**Monitoring Readiness for College-Level Work**  
The Academic Advising Student Success Center will compile cumulative information about students’ TSI readiness during each long semester. This information will be provided to the provost and vice president for academic affairs and other academic administrators as appropriate.

**Cross References:** 19 Tex. Admin. Code §§ 4.51-.632; Tex. Educ. Code § 51.3062.331

**Responsible for Implementation:** Provost and Vice President for Academic Affairs

**Contact for Revision:** Provost and Vice President for Academic Affairs

**Forms:** None

**Board Committee Assignment:** Academic and Student Affairs
POLICY SUMMARY FORM

Policy Name: Discrimination Complaints

Policy Number: 2.11

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/29/2019

Unit(s) Responsible for Policy Implementation: President

Purpose of Policy (what does it do): This policy prescribes the university's commitment to nondiscrimination; details the procedure for investigating and adjudicating a discrimination complaint

Reason for the addition, revision, or deletion (check all that apply):

☐ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☒ Other, please explain: To reflect changes to policy 2.13, Title IX

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: This policy has been revised to reflect necessary changes as a result of the completely revised policy 2.13, Title IX. A section regarding scope has been added to define when this policy would apply, included the mandatory reporting requirements, and available supporting measures.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Damon Derrick, General Counsel
Discrimination Complaints

Nondiscrimination

Original Implementation: September 1990/February 2, 1982
Last Revision: January 29, 2019/July 21, 2020

I. Purpose

This Policy affirms Stephen F. Austin State University’s intent—commitment to providing an educational and working environment free of unlawful discrimination or harassment to all members of the University community. This Policy applies to visitors, applicants for admission to or employment with the University, students, and employees of the university who allege discrimination by University employees, students, visitors, or contractors.

II. Definitions

The following are categories of conduct that are prohibited by this Policy (“Prohibited Conduct”) and may result in disciplinary action when committed by University employees or students.

Complaint means a signed document or a communication submitted electronically from an account assigned to Complainant alleging discrimination under this Policy.

Complainant means a person who submits a written complaint alleging discrimination under this Policy. As there may be more than one complainant in an unlawful discrimination case, the term “complainant” as used herein shall refer to one or more complainants. In the event of a third-party charge, the university may serve as the complainant.

Discrimination is defined as conduct directed at a specific individual or a group of identifiable individuals that subjects the individual or group to treatment that adversely affects their employment or education because of their race, color, religion, national origin, sex, sexual orientation, gender identity, gender expression, age, disability, genetic information, citizenship, or veteran status.

Harassment is a form of discrimination defined as verbal or physical conduct that is directed at an individual or group because of race, color, religion, national origin, sex, sexual orientation, gender identity, gender expression, age, disability, genetic information, citizenship, or veteran status when such conduct is sufficiently severe, pervasive, or persistent so as to have the purpose or effect of interfering with an individual’s or group’s academic or work performance; or of creating a hostile academic or work environment.

The totality of the circumstances will be considered in determining whether a hostile environment exists. Relevant factors in determining whether the conduct has created a hostile environment include but are not limited to the type, frequency, and severity of the conduct, whether the conduct is physically threatening or humiliating, and the relationship between the individuals.
Other Sexual Harassment as used in this Policy means unwelcome, sex-based verbal or physical conduct that:

1. in the employment context, unreasonably interferes with a person’s work performance or creates an intimidating, hostile, or offensive work environment; or

2. in the education context, is sufficiently severe, persistent, or pervasive that the conduct interferes with a student’s ability to participate in or benefit from the University’s educational programs or activities.

Other Sexual Harassment does not include allegations of sex discrimination or harassment which rise to the level of Sexual Harassment occurring within the University’s Education Programs and Activities as defined by the University’s policy 2.13, Title IX Policy.

Other Unprofessional/Inappropriate Conduct means behavior or conduct that is unprofessional and/or inappropriate for the educational and/or working environment, but does not rise to the level of Sexual Harassment or other form of Prohibited Conduct outlined above.

Respondent means the person alleged to be responsible for the prohibited discrimination or harassment alleged in a complaint. The term “respondent” may be used to designate persons with direct responsibility for a particular action or those persons with administrative responsibility for the procedures and policies in those areas covered in a complaint.

Retaliation means any attempt to seek retribution against an individual or group of individuals involved in filing a complaint or report under this Policy, filing an external complaint, participating in a disciplinary process, or opposing in a reasonable manner an action believed to constitute a violation of this Policy. Retaliation can take many forms, including abuse or violence, threats, and intimidation. Actions in response to a good faith report or response under this Policy are considered retaliatory if they have a materially adverse effect on the working, academic or University-controlled living environment of an individual; or if they hinder or prevent the individual from effectively carrying out their University responsibilities. Any individual or group of individuals can engage in retaliation and will be held accountable under this Policy.

III. General

It is the policy of Stephen F. Austin State University, in accordance with federal and state law, to prohibit unlawful discrimination on the basis of race, color, religion, national origin, sex, sexual orientation, gender identity, gender expression, age, disability, genetic information, citizenship, and veteran status. Unlawful discrimination based on sex includes discrimination defined as sexual harassment. Additionally, Stephen F. Austin State University prohibits discrimination on the basis of sexual orientation, gender identity, and gender expression. Stephen F. Austin State University is committed to the principles of Equal Employment Opportunity (EEO) law. An employee who violates this Policy is subject to disciplinary action up to and including termination. A student that violates this Policy is subject to disciplinary action up to and including expulsion.

The President or designee will be responsible for overseeing this Policy and procedures and
for ensuring compliance with EEO laws. The Human Resources Director or designee will annually regularly review all personnel policies and procedures to ensure compliance with EEO laws and present any recommendations for changes to the President or designee. All employment related documents will be maintained in accordance with the University’s Texas State Record Retention Schedule.

For employee-related complaints, the Human Resources Director or designee will be responsible for maintaining records of all formal complaints and the results of such complaints. For student-related complaints, the dean for student affairs or designee will be responsible for maintaining records of all formal complaints and the results of such complaints.

Instances of sex discrimination based on sexual harassment or hostile environment are governed by the Sexual Misconduct Title IX Policy (2.13).

IV. Scope

This Policy applies to Prohibited Conduct in all University education programs and activities and to all participants in such education programs and activities, including administrators, faculty, staff, students, volunteers, contractors, and guests. This Policy covers Prohibited Conduct that occurs on campus, in connection with an official University program or activity (regardless of location), and to off-campus conduct when the conduct could deny or limit a person’s ability to participate in or benefit from the University’s programs and activities or when the University, in its sole discretion, has an identifiable interest in the off-campus conduct.

All allegations of sex discrimination which rise to the level of Sexual Harassment occurring within the University’s Education Programs and Activities as defined by the University’s policy 2.13, Title IX, are handled exclusively pursuant to the procedures outlined in that Policy. All other acts of Discrimination—including acts of sex discrimination which do not rise to the level of Sexual Harassment occurring within the University’s Education Programs and Activities as defined by the University’s policy 2.13, Title IX Policy—are handled pursuant to this Policy.

V. Reporting

A person who believes that he or she has been subjected to any type of discrimination-Prohibited Conduct should report the incident to any University official, administrator, or supervisor. Students are encouraged to report such incidents to the Dean of Student Affairs. Employees and visitors are encouraged to report to the Director of Human Resources. Reports of sexual harassment or other forms of sexual misconduct should be reported in accordance with the Sexual Misconduct policy (2.13). Incidents should be reported as soon as possible after the time of their occurrence. No person is required to report discrimination to the alleged offender. Any allegations of sex-based discrimination may also be directed to the attention of the Title IX Coordinator. Allegations of disability-based discrimination may also be directed to the ADA Coordinator but will be investigated in accordance with this Policy.

VI. Mandatory Reporting Requirement of Sexual Harassment for University Employees

Under Texas law, all University employees, with the exception of Confidential Employees, who:
1. in the course and scope of their employment

2. witnesses or receives information regarding an incident that the employee reasonably believes constitutes Sexual Harassment, Sexual Assault, Dating Violence, or Stalking, which

3. is alleged to have been committed by or against a person who was a student enrolled at or an employee of the University at the time of the incident

must promptly report the incident to the University’s Title IX Coordinator, within 48 hours.

Writing required. The University’s online reporting form Reporting by email to the Title IX Coordinator is the preferred method of communicating incidents promptly, so that a record is made of the time and all factual details disclosed in the initial report. The University’s online reporting form may be used to submit a report. A written memo is also acceptable if it can be delivered to a Coordinator promptly after the employee’s duty to report arises.

Report Contents. The employee’s report must include all information concerning the incident known to the employee which is relevant to an investigation under this Policy, including whether the subject of the report has expressed a desire for an institutional response to the incident or made a request for confidentiality in reporting the incident.

Confidentiality. Unless waived in writing by the affected individual, the identity of an alleged victim of an incident reported pursuant to this mandatory reporting requirement may be disclosed only to (a) employees of the University who are necessary to conduct an investigation of the report or any related hearings and (b) a law enforcement officer when appropriate.

Exceptions. The mandatory reporting requirement does not apply to:

1. Individuals who are themselves the victims of the Sexual Harassment, Sexual Assault, Dating Violence, or Stalking;

2. Instances when an employee receives information about Sexual Harassment, Sexual Assault, Dating Violence, or Stalking at a public awareness event sponsored by the University; or

3. Employees designated as Confidential Employees.

Consequences of Non-Compliance. An employee who fails to make a required report will be

---

1 “Course and Scope of Employment” means an employee performing duties in the furtherance of the institution’s interests.

2 For the purposes of Texas’s mandatory reporting requirement only, “Sexual Harassment” means: unwelcome, sex-based verbal or physical conduct that (a) in the employment context, unreasonably interferes with a person’s work performance or creates an intimidating, hostile, or offensive work environment; or (b) in the education context, is sufficiently severe, persistent, or pervasive that the conduct interferes with a student’s ability to participate in or benefit from the University’s educational programs or activities.
terminated following an investigation and any required process under the applicable personnel policy.³

**Immunity.** An employee or student who, in good faith reports or assists in the investigation of a report under this Policy, or who testifies or otherwise participates in a disciplinary process or judicial proceeding arising from a report of such an incident, will not be subject to disciplinary action that are reasonably related to the incident. This immunity does not apply to a person who perpetrates or assists in the perpetration of the incident reported under this policy or who commits a criminal offense pursuant to Texas Education Code § 51.255(a).

**VII. Referral Responsibility**

Every supervisor, administrator, department head, and University official is responsible for promptly reporting incidents of discrimination prohibited Conduct that come to his or her attention to the appropriate University official. Student-to-student complaints should be reported to the Dean of Student Affairs. All other complaints should be reported to the Director of Human Resources. Any allegations of sex-based discrimination may also be directed to the attention of the Title IX Coordinator and allegations of disability-based discrimination may also be referred to the ADA Coordinator but will be investigated in accordance with this Policy. Every attempt should be made to keep the information confidential and restricted to only those who have an absolute need to know.

**VIII. Supportive Measures**

The University will, to the extent practicable based on the circumstances and the University’s resources, provide the Complainant with support and resources to restore or preserve equal access to the University’s education programs and activities and/or employment. Such measures are designed to protect the safety of all parties implicated by a report or to deter Prohibited Conduct. Supportive measures may include, but are not limited to: counseling, extensions of academic or other deadlines, course-related adjustments, modifications to work or class schedules, campus escort services, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of campus, and other similar measures. Supportive Measures may also include mutual restrictions on contact between the parties implicated by a report.

**IX. Complaint Procedures**

A. Written Complaint

A Complaint alleging discrimination or harassment must be submitted in writing. The Complaint must contain the following information:

- Name of the Complainant;
- Contact information, including address, telephone number, email address;
- Name of person(s) directly responsible for alleged violations(s);
- Date(s) and place(s) of alleged violation(s);

³ Employees who fail to make a mandatory report under this provision may also be subject to criminal prosecution pursuant to Texas Education Code section 51.255(a).
- Nature of alleged violation(s) as defined in this Policy;
- Detailed description of the specific conduct that is the basis of alleged violation(s);
- Copies of documents pertaining to the alleged violation(s);
- Names and contact information (if known) of any witnesses to alleged violation(s);
- Action requested to resolve the situation;
- Complainant’s signature and date of filing;
- Any other relevant information.

In some cases, the Equal Employment Opportunity Commission (EEOC) requires that a written complaint should be filed within 180 calendar days of the occurrence of the alleged violation. Depending on the circumstances, the university may accept and investigate a complaint even if filed after 180 calendar days.

If a pattern of harassment appears to exist but no complainant files charges, the University may file a third-party charge against an individual. Such charges will be handled with as much care and control as any other complaint so as to avoid acting on rumor or unjustified accusation.

B. Investigative Process for Employee and Third-Party Related Complaints

An appropriate impartial administrator from within the division where the complaint was filed, but not within the unit involved, will investigate the Complaint, not as a representative of the complainant, but as an impartial party. Notwithstanding, the university reserves the right to appoint an external investigator or investigator from a different division in its sole discretion. The investigation shall normally be conducted within 20 business days from when the investigator is appointed. Case complexity will vary and the termination resolution of the investigation will depend on case circumstances; however, the investigation will conclude under normal circumstances within 20 business days or 60 business days for complaints of sexual harassment. It is incumbent upon the investigator to document a reasonable justification for extending an investigation beyond 20 business days, or 60 business days for complaints of sexual harassment.

The investigator will interview the complainant and persons who are considered to have pertinent factual information related to the complaint. The investigator will also gather and examine documents relevant to the complaint. Facts will be considered on the basis of what is reasonable to persons of ordinary sensitivity and not on the particular sensitivity or reaction of an individual. Findings will be based on the totality of circumstances surrounding the conduct complained of, including, but not limited to, the context of that conduct, its severity, its frequency, and whether it was physically threatening, humiliating, or simply offensive in nature. The investigator conducting the investigation may also consult with appropriate management personnel, including the Director of Human Resources, the ADA Coordinator, the Title IX Coordinator, and/or the general counsel for advice and guidance as applicable.

The University reserves the right to take such action as may be reasonably appropriate upon receipt of a complaint to protect the complainant or university community pending outcome of the investigation, including interim suspension with pay of an employee.
1. Notification of the Respondent: After investigating the allegations, the investigator will meet with the Respondent, provide them with a copy of the complaint, and give them an opportunity to respond. The Respondent may, but is not required to, submit a written response to the allegations in the time prescribed by the investigator.

2. Report of Findings and Recommendations: The investigator is responsible for preparing a report responding to each allegation that the Complainant has made. This report should describe the investigator’s findings and conclusions to each allegation. The report should also include a brief overview of the investigative process including the category and number of individuals interviewed, timelines, and a summary of each allegation. Finally, the report should contain the investigator’s recommendations for resolution of the matter. This report should be addressed to the appropriate vice president (or president if the complaint concerns a unit reporting directly to the president, or chair of the Board of Regents if the complaint concerns an employee reporting directly to the Board of Regents or a member of the Board of Regents) with copies provided to the general counsel, the Director of Human Resources, and the Title IX or ADA Coordinator, as applicable.

The Vice President shall review the findings and recommendations of the investigator and take such action deemed appropriate. Such action shall be communicated in a letter to the Complainant and Respondent with copies to the general counsel, Director of Human Resources, and the Title IX or ADA Coordinator, as applicable, within five (5) business days of receipt from the investigator.

3. Appeal Process: If the decision of the Vice President is not satisfactory to the Complainant or Respondent, that individual has five (5) business days in which to request a formal hearing of the discrimination complaint review board (“review board”). The request must be put in writing to the Vice President issuing the decision. If the Vice President concludes that the charges are serious enough to require termination or suspension, the faculty or staff member may be placed on a leave of absence with pay, pending a hearing by the review board and final determination.

4. Discrimination Review Board: The review board of three individuals will be selected from a panel of 20 pre-selected faculty members and 20 pre-selected staff members to be appointed by the President. If the Respondent is a faculty member, the review board will be composed of at least two faculty members. If the Respondent is a staff member, the review board will be composed of at least two staff members. The Complainant will select one member and the Respondent will select one member from the applicable panel. The two selected members will choose the third person from the panel. None of the review board members shall be from the department of the Respondent or the Complainant (if applicable), and at least one member should be from a different department than the other two members. These three individuals will comprise the review board and will elect a chair from among them. The University President may remove any selected review board member if substantial proof of bias exists.

The chair of the review committee-board is responsible for coordinating the hearing. The
Complainant, the Respondent, and the University all have the right to be advised by counsel, but lawyers will not be allowed to conduct or participate in the hearing. At least five (5) business days prior to the scheduled review committee hearing, each side shall submit a list of its witnesses and four copies of its evidence to the chair. The list of witnesses should contain a short description of the testimony each witness is expected to provide. A list of witnesses and copy of the evidence will be provided to each party. All materials presented must be maintained in a confidential manner by all parties involved.

The investigator will apprise the review board of the charges and will present the investigation report, evidence and findings. The Complainant and Respondent will have an opportunity to respond to the charges and present evidence. Each party may make a five (5) minute opening statement prior to presentation of the evidence. The review board will determine whether a Policy violation has occurred burden will be on the complainant to prove by a preponderance of the evidence standard that the respondent has committed an act of unlawful discrimination. Cross examination of the witnesses is allowed by all parties. Each party may make a five (5) minute closing statement. The review board is permitted to question the parties and/or witnesses at any time during the proceeding.

The chair of the review board will conduct a fair hearing before the Complainant and the Respondent and shall allow relevant witnesses and evidence from both parties. The hearing shall be closed to the public. The General Counsel and/or the Director of Human Resources may be consulted in procedural matters and may be present at meetings. All information presented in the hearing is confidential to the extent allowed by law and restricted to only those who have an absolute need to know. The review board will normally have five (5) business days after the completion of the hearing to summarize its findings and make a written recommendation to the President.

5. Review by the President: The President may accept, reject, or modify the decision of the review board and will have access to all evidence, both parties, and witnesses as deemed appropriate. In all instances except those that involve the revocation of tenure or termination with an unexpired appointment extending beyond the date of the proposed dismissal, the decision of the President is final. In cases that involve the revocation of tenure or termination with an unexpired appointment extending beyond the date of the proposed dismissal, termination proceedings shall commence under University policy 7.29. Such termination proceedings shall not reconsider whether discrimination occurred, but rather determine if good cause exists for dismissal. Pending termination proceedings, a faculty member may be suspended and removed from the university or assigned to other duties with pay at the President’s discretion. Final disposition of the case will be communicated to the Respondent and the Complainant.

C. Sanctions for University Employees

1. University-imposed: University sanctions for violations of this Policy may include any disciplinary action, up to and including termination of employment for faculty or staff. Such activities may be viewed as constituting a violation of the Faculty Code of Conduct policy (7.11) and grounds for termination under the Tenure and Continued Employment policy (7.29), and a
2. **Civil:** Unlawful discrimination is illegal under state and federal law. Official governmental investigations by the Equal Employment Opportunity Commission, the Texas Commission on Human Rights, and/or the Office of Civil Rights of the Department of Education may result in civil lawsuits against any person guilty of unlawful discrimination.

3. **False Charges:** False charges may result in disciplinary action against the complainant by the university or civil charges against the respondent. An unsubstantiated charge is not considered “false” unless it is found to be made with the knowledge of it being false.

**D. Investigative Process for Student-to-Student Complaints**

The Dean for Student Affairs, or their appointee, shall investigate student to student complaints and follow the timeframes described in the preceding guidelines for employees. If student discipline is recommended, policy 10.4, Student Code of Conduct will guide the proceedings. Informal and formal disposition procedures are outlined within the policy; and it contains full due process procedures.

Disciplinary action for student-to-student related complaints may range from sensitivity counseling to suspension or expulsion. False charges may also result in disciplinary action. An unsubstantiated charge is not considered “false” unless it is found to be made with knowledge of it being false.

**X. Retaliation**

A supervisor or employee commits an unlawful employment practice if the supervisor or employee retaliates or discriminates against a person, who (a) opposes a discriminatory or harassing practice, (b) makes or files a complaint alleging employment discrimination or harassment, (c) or testifies, assists, or participates in any manner in an investigation, proceeding, or hearing. Any employee who retaliates against another employee violates the University’s policies and procedures and may be subject to disciplinary action up to and including termination. Instances of alleged retaliation shall be investigated pursuant to the procedures of this Policy. A student violates this Policy if the student retaliates or discriminates against a person. A student that violates this Policy is subject to disciplinary action up to and including expulsion.

The investigator will be responsible for monitoring the circumstances surrounding the complaint to insure the situation has been remedied.

**XI. Training**

The University is required by the Texas Labor Code 21.010 to provide EEO training to each new employee, including student employees on policies regarding discrimination, including sexual harassment, no later than 30 days after the date of hire. In addition, supplemental EEO training is required every two years. All employees will receive a copy of this Policy within 30 days of employment. A signed statement verifying training is required to be maintained in the employee’s
personnel file.

Additional training shall be provided in accordance with applicable law.


**Responsible for Implementation:** President

**Contact for Revision:** Title IX Coordinator, Director of Human Resources, and the General Counsel

**Forms:** None

**Board Committee Assignment:** Academic and Student Affairs
POLICY SUMMARY FORM

Policy Name: Fixed Tuition Price Plan (formerly Fixed Rate Tuition Plan)

Policy Number: 3.4

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 7/25/2017

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): This policy affirms compliance with Texas Education Code requirements to offer a fixed tuition price plan to certain undergraduate students.

Reason for the addition, revision, or deletion (check all that apply):
- [x] Scheduled Review
- [ ] Change in law
- [ ] Response to audit finding
- [ ] Internal Review
- [ ] Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for each substantive revision: Changed name of policy from Fixed Rate Tuition Plan to Fixed Tuition Price Plan to be consistent with the enabling legislation. Also removed specifics of the tuition plan offered by SFA, since there is now more than one plan that complies with the legislation. Instead, the revised policy states that SFA’s fixed rate tuition plan(s) shall be posted on the controller’s office website and communicated to eligible students.

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Danny Gallant, Vice President for Finance and Administration
Damon Derrick, General Counsel
**Fixed Rate Tuition Price Plans**

**Original Implementation:** April 15, 2014  
**Latest Revision:** July 25, 2017

**Purpose**

This policy affirms compliance with Texas Education Code requirements to offer a fixed tuition price plan to certain undergraduate students and establishes related restrictions and qualifications relating to the plan.

**General**

Section 54.017 of the Texas Education Code requires governing boards of general academic teaching institutions to offer a fixed tuition price plan to entering undergraduate students, including undergraduate students who transfer to the institution. Eligible freshmen or transfer students must be offered the opportunity to participate in a fixed tuition price plan for 12 consecutive semesters from the point of initial enrollment at any public or private institution, regardless of whether the student enrolls at any institution in those semesters. For purposes of this policy, one or more summer terms occurring in the same summer is considered a semester. Fees charged to a participating student may not exceed fees charged to a non-participating student. The statute permits the Board of Regents to establish restrictions and qualifications. The plan adopted by Stephen F. Austin State University (SFA) has adopted two plans to meet the legislative requirements: the Fixed Rate Tuition Plan (FRTP) and the Guaranteed Price Plan (GPP). The FRTP is effective beginning in the fall semester of 2014. Beginning with the fall semester of 2020, incoming students will be offered the GPP instead of the FRTP. Students already in the FRTP may remain in that plan if otherwise eligible. The restrictions and qualifications of the plans include the following provisions:

- The plans will apply to undergraduate students only.
- Only Texas resident students, or students defined under Texas Education Code Section 54.052 may participate in the FRTP or GPP.
- The FRTP or GPP is not available for applicable to any student who has previously enrolled at SFA, except for students that have only taken dual credit courses from SFA.
- An entering eligible student, either freshman or transfer, must accept or reject the FRTP or GPP prior to registering for the first semester. Students can change their decision any time prior to the first class day. Students eligible to make this election who enroll after the first class day must make their election prior to enrolling. That decision is non-revocable after they register.
- The fixed rate FRTP applies to designated tuition only. The GPP freezes all mandatory tuition and fees.
- Entering students freshmen who participate in the FRTP will be are eligible to have a fixed level of designated tuition for four consecutive academic years that include fall, spring, and summer. The GPP fixes all mandatory tuition and fees for up to 12 consecutive semester terms for qualified students. The FRTP and GPP will be effective for participating students for 12 “semesters” from their date of initial enrollment at SFA or another institution.
• An academic year will be considered three consecutive “semesters”, with the summer considered as one semester, regardless of whether a student enrolls in any or all of the summer terms—Maymester, Summer I or Summer II.

• Students must enroll in a degree-seeking program.

• Students may voluntarily elect or opt out of the FRTP or GPP option and pay the prevailing designated tuition rate in the next subsequent semester, unless they opt out prior to the first class day of the semester. Once a student elects or opts out of the FRTP or GPP plan, they may not be reinstated.

• Students enrolled in the FRTP will be eligible for the same tuition cap as established by the Board of Regents for students enrolled outside the plan. If changes are made to the designated tuition cap, it will apply to all students.

• For purposes of planning and establishing cohorts, it is presumed that students will enroll in 30 hours a year for four years. Students may take more or less hours, as long as they do not exceed the allowable “consecutive semesters,” based on their assigned cohort.

• Each fiscal year will have tuition and fee rates assigned for that year based on an institutional needs assessment. Students entering the FRTP or GPP will be assigned a cohort based on the date of their initial enrollment at any institution. The rate for each cohort will be set by the Board of Regents.

• The FRTP and GPP will be effective for the participating students for 12 “semesters” from their date of initial enrollment at SFA or another institution.

• Each fiscal year will have a rate assigned for that year based on the projected increases in designated tuition. That rate will apply for that fiscal year’s cohort.

• Transfer students enrolling at other institutions prior to the fall semester of 2011 will not be eligible for the FRTP.

• The FRTP is non-renewable.

• The excessive undergraduate credit hours’ penalty and the three-peat tuition penalty for repeating classes will apply to FRTP and GPP students. These penalties will be charged in addition to the FRTP or GPP designated tuition rate if students meet the conditions for which these penalties apply.

• Students eligible for exemptions and/or waivers will not be allowed to register in the FRTP or GPP. If a student is determined to be eligible for an exemption or waiver after enrollment, the student will no longer be eligible for the FRTP or GPP and the annual plan rate will be assessed for the current semester. (No retroactive adjustments to the account will be made for prior semesters)

• Students attending under contracts paid by a third party are not eligible to enroll in the FRTP or GPP.

• Students participating in the Texas Guaranteed Tuition Plan (formerly the Texas Tomorrow Fund) or the Texas Tuition Promise Fund are eligible to enroll in the FRTP or GPP.

• If a student is determined to be eligible for an exemption or waiver after enrollment, the student will no longer be eligible and the non-FRTP rate will be assessed for the current semester. (No retroactive adjustments to the account will be made for prior semesters.)

Responsible for Implementation: Vice President for Finance and Administration

Contact For Revision: Controller

Forms: None

Board Committee Assignment: Finance and Audit
Policy Name: Gifts, Prizes and Awards

Policy Number: 3.18

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 10/23/2017

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): This policy provides guidance regarding gifts, prizes and awards that can be given, the manner in which they can be given, and reporting requirements.

Reason for the addition, revision, or deletion (check all that apply):

☐ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☑ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: Increase of the nominal value from $50 to $100.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Danny Gallant, Vice President for Finance and Administration
Damon Derrick, General Counsel
Gifts, Prizes, and Awards

Original Implementation: April 22, 2008
Last Revision: July 21, 2020

Purpose

This policy provides guidance regarding gifts, prizes and awards that can be given, the manner in which they can be given, and reporting requirements.

Definitions

Employee: An individual receiving compensation as a full-time or part-time employee, including casual employees, student employees and graduate assistants.

Non-Employee: An individual receiving no employment compensation of any kind or in any amount, including students who are not employed by any department of the university.

Gift: A voluntary conveyance of something of value as a gesture of good will or appreciation. Marketing and promotional items are excluded as gifts as noted below. Plants and flowers sent as a gesture of sympathy or support are not considered gifts if they have a valid business purpose; however, they are subject to specific rules. See Guidelines for Expenditures from University Funds.

Award: Something of value conveyed as a result of competition, merit or in recognition of service to the university on the part of the recipient.

Prize: Something of value conveyed as a result of chance, generally for promotional purposes, to one or more participants in an event sponsored by a university department or organization.

Nominal Value: A prize, gift, or award valued at $100 or less.

Organization: Any university department or student group using university funds for a gift, prize, or award. Agency funds are not considered university funds.

General

State and federal regulations restrict the use of university funds to provide gifts, prizes, and awards to employees, students, and others in the university community. In addition, the Internal Revenue Service (IRS) has requirements for the federal reporting of gifts, prizes, and awards given to employees versus non-employees. All definitions and reporting requirements of this policy apply to any university funds, and remain the same even if the funds originate as a gift to the university from a third party.

No gifts, prizes, or awards of any kind should be charged to state appropriated funds, designated accounts funded by student fees, auxiliary funds associated with mandatory fees, or restricted funds.
Funds from federal and state grants, contracts, or other sponsored agreements cannot be used to pay for items that are or appear to be gifts or marketing or promotional items such as t-shirts, key chains, tote bags, caps, and other souvenirs or memorabilia, unless specifically provided for in a grant, contract, or sponsored agreement. Use of these funds to pay for awards for participation in grant-funded activities is generally allowable when both reasonable in cost and necessary to accomplish program objectives. Acceptable participation awards include plaques, small trophies, ribbons, certificates, pens/pencils, and similar items.

**Exclusions**

Financial aid awards and grants are not considered gifts, prizes, or awards for purposes of this policy. Most awards to students that are related to academic performance are considered financial aid, and as such, are not subject to the provisions of this policy. Prizes given in conjunction with raffles that include the purchase of a chance or ticket are not subject to this policy and are governed by university policy 16.25 Solicitation on Campus, and state law. Agency funds are not subject to this policy since they are not considered university funds.

**EMPLOYEE as the Recipient of a Gift**

Gifts of cash, including gift cards and gift certificates to employees, are not allowed. Gifts other than cash, gift cards, or gift certificates are allowed only when such gifts have a business purpose and are approved in advance by the president, vice president, dean, or the authorized approver for Board of Regents purchases (Board of Regents purchases only), and are within IRS guidelines. The gift must be of nominal value, as defined above, unless a larger amount is approved by the president or vice president, or the authorized approver for Board of Regents purchases (Board of Regents purchases only). For any gift greater than nominal value, the department must report the following information to the controller’s office for tax purposes: recipient name, social security number, address, and purpose and value of the gift.

With the exception of the Offices of the President and the Board of Regents, personal gifts using university funds for birthdays, weddings, showers, retirements, get well, funerals, and other personal occasions, are not allowed. These are considered personal expenses, to be paid by the person(s) giving the gift.

Non-cash gifts for employees of nominal value, such as t-shirts, cups, mugs, etc. can be purchased with discretionary funds. For limitations on purchases of clothing, see Guidelines for Expenditures from University Funds on the controller’s office website.

Marketing and promotional items bearing the SFA name or logo are not considered gifts when they are of nominal value. An example of a marketing or promotional item is a coffee cup with an SFA department name provided to an SFA employee or representative. In addition, tickets provided to a representative of SFA for sporting events, fine arts events, recognition banquets, etc. are not considered gifts when attendance at the event is to promote the university in the representative’s official capacity.

**EMPLOYEE as the Recipient of a Prize or Award**
Monetary awards may be given to employees for meritorious performance or other reasons connected with employment, but only as part of an established campus-wide program or a program within a college approved by the dean and the provost and vice president for academic affairs. See university policy 12.20 University Awards Programs. Such monetary awards cannot be given in the form of gift certificates or gifts cards, but must be paid through payroll and submitted on a stipend authorization form.

Non-cash awards given to employees as length of service awards are acceptable as long as they are valued at less than $400 per year per employee. These awards may only be administered by the Department of Human Resources or in a ceremony approved by the Department of Human Resources and the appropriate vice president.

Any non-cash award given for meritorious performance or other reasons connected with employment must be of nominal value, as defined above.

An employee may accept a monetary or non-cash prize or award of any amount where the individual’s employment is incidental to the basis on which the prize or award is given. For example, a university employee would be eligible to win a door prize given at random or an essay-writing contest.

For any prize or award greater than nominal value, the department or organization sponsoring the contest, game of chance, etc., without the purchase of a chance or ticket must report the following information to the controller’s office for tax purposes: recipient name, social security number, address, and purpose and value of the prize or award.

**NON-EMPLOYEE as the Recipient of a Gift**

Gifts of cash to non-employees are not allowed. Gift certificates, gift cards, or tangible commodities are allowed as long as the gift is given for a valid business reason.

For any gift greater than nominal value, as defined above, the department must report the following information to the controller’s office for tax purposes: recipient name, social security number, address, and purpose and value of the gift.

Development Gifts to individuals to promote development interests or alumni relations, using university funds, cannot exceed nominal value, as defined above, unless approved by the president. For any gift greater than nominal value, the department must report the following information to the controller’s office for tax purposes: recipient name, social security number, address, and purpose and value of the gift.

When university officials are hosting visitors, appropriate university funds may be used to give such visitors a gift of nominal value, as defined above, as a sign of appreciation or recognition. Any gift greater than nominal value must be approved by the president. Marketing and promotional items with the SFA name or logo are not considered gifts as discussed above. For any gift greater than nominal value, the department must report the following information to the
controller’s office for tax purposes: recipient name, social security number, address, and purpose and value of the gift.

Federal and state laws severely restrict the nature and value of gifts that may be made to public officials, and those restrictions may vary depending on the type of gift as well as the office held by the official. Gifts to municipal officials may also be restricted. In general, university policy prohibits all gifts to public officials, with the exception of token gifts of nominal value, as defined above, as long as they are not provided in exchange for his/her decision, opinion, recommendation, vote, or other exercise of discretion as a public official. Any exception to this limit must be discussed in advance with general counsel to ensure it is allowed under the specific governing conditions. There may be restrictions on paying honoraria to public officials and questions should be directed to the general counsel.

**NON-EMPLOYEE as the Recipient of a Prize or Award**

Cash, gift certificates, gift cards or non-cash items may be given as prizes and awards as long as they are reported as required herein. Prizes and awards to non-employees must be for a valid business reason, which may include a contest, door prize, etc. without the purchase of a chance or ticket.

Monetary prizes and awards must be processed using the online purchase requisition system and substitute Form W-9 must be submitted to accounts payable.

For any prize or award greater than nominal value, as defined above, the department must submit the following information to the controller’s office for tax purposes: recipient name, social security number, address, and purpose and value of the prize or award.

**NON-RESIDENT ALIENS as the Recipient of a Gift, Prize, or Award**

Cash and non-cash gifts, prizes and awards to non-resident aliens are generally subject to 30% withholding and reported on an IRS Form 1042-S. The department or organization must contact the controller’s office before making gifts, prizes and awards to person who are not US citizens or legal permanent residents, regardless of the value of the gift, prize or award.

**Cross Reference:** IRS Regulations; Tex. Penal Code Ch. 36; Solicitation on Campus (16.25); University Awards Programs (12.20); Guidelines for Expenditures from University Funds.

**Responsible for Implementation:** Vice President for Finance and Administration

**Contact for Revision:** Controller; Director of Procurement and Property Services/HUB Coordinator

**Forms:** None

**Board Committee Assignment:** Finance and Audit
POLICY SUMMARY FORM

Policy Name: Hazing

Policy Number: 10.3

Is this policy new, being reviewed/revised, or deleted?  Review/Revise

Date of last revision, if applicable: 7/1/2017

Unit(s) Responsible for Policy Implementation: Vice President of University Affairs

Purpose of Policy (what does it do): Outlines hazing laws and penalties

Reason for the addition, revision, or deletion (check all that apply):
  □ Scheduled Review  □ Change in law  □ Response to audit finding
  □ Internal Review  □ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: Updates based on requirements of SB 38 to be effective by Sept. 2020.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Steve Westbrook, Vice President for University Affairs
Damon Derrick, General Counsel
Hazing

**Original Implementation:** September, 1987  
**Last Revision:** July 21, 2020

Stephen F. Austin State University is unequivocally opposed to any activity by an organization or individual(s) within the organization that is herein defined as hazing.

**Definitions**

**Hazing:** Any intentional, knowing or reckless act occurring on or off campus by one person alone or acting with others, that endangers the mental or physical health or safety of a currently-enrolled or prospective student for the purpose of new member intake, being initiated into, affiliating with, holding office in, or maintaining membership in that organization.

Hazing acts include but are not limited to:

1. any type of physical brutality such as whipping, beating, striking, branding, electronic shocking, placing a harmful substance on the body, or similar activity;
2. any type of physical activity such as which involves sleep deprivation, exposure to the elements, confinement in a small space, calisthenics or other similar activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;
3. any activity involving which involves consumption of a food, liquid, alcoholic beverage, liquor, drug or other substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health of the student;
4. any activity that intimidates or threatens the student with ostracism, that subjects the student to extreme mental stress, shame, humiliation, that adversely affects the mental health or dignity of the student or discourages the student from entering or remaining registered at the institution, or that may reasonably be expected to cause a student to leave the organization or the institution rather than submit to the acts described in this policy;
5. any activity that induces, causes, or requires the student to perform a duty or task which involves a violation of the Penal Code; or
6. involves coercing the student to consume drugs or alcoholic beverage or liquor in any amount that would lead a reasonable person to believe the student is intoxicated.

**Organization:** Any fraternity, sorority, association, corporation, order, society, corps, club, or student government, a band or musical group, or an academic, athletic, cheerleading, or dance team, including any group or team that participates in National Collegiate Athletic Association competition, or a service, social, or similar group, whose members are primarily students.
Immunity: Any person who voluntarily reports a specific hazing incident involving a student or prospective student to the dean of students affairs or appropriate university official may be immune from civil or criminal liability if the person:

1. Reporting of the incident is before being contacted by the institution or before the investigation of the incident is underway.
2. Student cooperates in good faith throughout the investigation, as determined by the dean of student affairs.

A person will not be granted immunity if reporting their own act of hazing, or reports in bad faith or with malice.

Committing an Offense: The organization and any individual involved in hazing commits an offense by:

1. engaging in hazing;
2. soliciting, encouraging, aiding or directing another engaging in hazing;
3. intentionally, recklessly or knowingly permitting hazing to occur;
4. having first-hand knowledge that a specific hazing incident is being planned or has occurred and failing to report said knowledge in writing to the university’s judicial officer/student conduct authority.

Organization Hazing Offense: An organization commits an offense if the organization condones or encourages hazing or if an officer or any combination of members, pledges, or alumni of the organization commits or assists in the commission of hazing.

Consent: It is not a defense to prosecution of an offense that the person against whom the hazing was directed consented to or acquiesced in the hazing activity.

Penalties:

Penalties — University
Student Code of Conduct Violation

Individual: Each individual committing an offense is subject to university penalties ranging from probation to expulsion.

Organization: Organizations committing an offense may be placed on university probation and are subject to withdrawal of university recognition.

Penalties — Criminal
Criminal
Individual: Penalties relative to criminal prosecution range from a fine of $2,000 and/or 180 days in jail for failure to report a hazing incident to a fine of $10,000 and two years in jail for an incident which causes the death of a student.

Organization: The student organization may be penalized with a fine of up to $10,000 or double the expenses involved due to the injury, damages or loss.

Notice of Policy and Incident Reporting

To General Campus Community: This policy shall be published on the SFA website in the General Bulletin, and on the SFA website and Student Affairs website, and emailed to all students at least 14 days before the start of the fall and spring semesters, so as to cause all students to be aware of the provisions of this policy.

Of Offenders: A list of organizations that have been disciplined found responsible for hazing or convicted for hazing on or off campus during the previous three years shall be included each time this policy is published. The three-year publication will begin as soon as an organization's name can be placed in the first available printing of one of the above named publications can be updated online, and on the yearly revised publication of the General Bulletin. A date in parenthesis following an organization's name will indicate the last year the organization is required to be listed will be included.

Reporting of Sanctioned Organizations

A report will be posted on the university’s website that includes information regarding each disciplinary action taken against an organization under this policy or related external convictions for hazing against the organization during the three years preceding the date on which the report is issued or updated.

This report will include:

- the name of the organization disciplined or convicted;
- the date on which the incident occurred;
- the date on which the university’s investigation into the incident, if any, was initiated;
- a general description of the incident,
- the violations of the university’s code of conduct or the criminal charges, as applicable;
- the findings of the institution or court; and
- any sanctions imposed by the institution, or any fines imposed by the court, on the organization; and
- the date on which the university’s disciplinary process was resolved or on which the conviction became final.
This report will be updated to include information regarding each disciplinary process or conviction not later than the 30th day after the date on which the disciplinary process was resolved or the conviction became final, as applicable.

**Notice of Policy to Students**

A summary of the provisions of this policy will be published in the General Bulletin section of the university’s website. Electronic links to this policy, and to the report outlined above, will be posted on the Student Affairs website and included in an e-mail to all enrolled students that will be distributed at least 14 days before the start of each fall and spring semester.

**Cross Reference:** Student Code of Conduct (10.4); Tex. Educ. Code §§ 37.151-.157, 51.936

**Responsible for Implementation:** Vice President for University Affairs

**Contact for Revision:** Dean of Student Affairs

**Forms:** None

**Board Committee Assignment:** Academic and Student Affairs
POLICY SUMMARY FORM

Policy Name: Kennedy Auditorium

Policy Number: 16.14

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: October 29, 2018

Unit(s) Responsible for Policy Implementation: Provost and Vice President for Academic Affairs

Purpose of Policy (what does it do): Guidelines for use of Kennedy Auditorium

Reason for the addition, revision, or deletion (check all that apply):

- [ ] Scheduled Review
- [ ] Change in law
- [ ] Response to audit finding
- [ ] Internal Review
- [ ] Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: Major re-write changing administration of Kennedy Auditorium to College of Fine Arts.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Academic Policy Committee
Steve Bullard, Provost and Vice President for Academic Affairs
Damon Derrick, General Counsel
Kennedy Auditorium

**Original Implementation:** September 1, 1975  
**Last Revision:** October 29, 2018 / July 21, 2020

Auditorium Operating Policy

Scheduling and use of Kennedy Auditorium is pursuant to Use of University Facilities (16.33). The dean of the College of Fine Arts, Sciences and Mathematics is the administrator of the facility and its operating policies. Nothing contained in this policy will be construed to prohibit or hinder the operation of Kennedy Auditorium in pursuing the university’s mission. All activities associated with that mission will have priority in the use of this facility.

Priority of Users

Because Kennedy Auditorium is an academic and a special events venue, its use will be restricted according to the following prioritized categories:

**Category I** – Events sponsored by the Schools of Art, Music, or Theatre; and other performance activities that are a necessary adjunct to academic programs in the College of Fine Arts.

Events sponsored by the College of Sciences and Mathematics and other activities that are a necessary adjunct to academic programs in the College of Sciences and Mathematics.

**Category II** - Events that are a part of the University Series or the Children's Performing Arts Series (CPAS).

**Category III** – Events sponsored by university administration, academic units or student organizations.

**Category IV/VI** – Events sponsored by non-university groups, subject to the regulations described herein and university policy 16.33, Use of University Facilities.

Reservation Procedures

Reservations for all functions in Kennedy Auditorium are made through the office of the dean of the College of Fine Arts, Sciences and Mathematics. The dean may limit in advance, or reduce after receipt of reservations, the number of dates reserved by any entity, activity, or type of event. The dean may limit the duration and/or reject the date(s) of any reservation that is impractical for reasons such as safety, stage operations requirements, or excessive restriction of the auditorium’s availability. All reservations require the dean’s approval. The dean will act as arbitrator in circumstances where scheduling conflicts cannot be resolved. Scheduling priorities will be given in accordance with the following procedures:
Category I - Events requiring the use of the auditorium for five days or longer have priority for reserving dates until October 1 of the previous academic year. Events requiring the use of the auditorium for fewer than five days have priority for reserving dates through October 31 of the previous academic year.

Category II - Events in this category have priority for reserving dates after November 1 and prior to January 1 of the previous academic year.

Categories III and IV - Events in these categories may reserve available dates after May 1 of the previous academic year.

Jointly Sponsored Events

Jointly sponsored events (i.e., events where official university academic units and organizations jointly sponsor an event with a non-university group) may be scheduled only in accordance with the provisions of the policy on Use of University Facilities (16.33). Jointly sponsored events in Kennedy Auditorium are subject to the following regulations:

1. Only university entities (colleges, academic units, auxiliary offices) may jointly sponsor an event with a non-university group.
2. A jointly sponsored event must have approval from an academic unit chair/director, dean or vice president and have relevant educational objectives.
3. A written agreement between the university entity and the non-university group must be prepared in consultation with the dean of the College of Fine Arts and the Kennedy facilities manager. This agreement must be signed by the appropriate authorities.
4. The Kennedy staff will work directly with the university sponsor rather than the non-university group. The university sponsor will be considered the producer of the event.
5. The university sponsor will assume full responsibility for the event and all related charges, including costs for damages. All promotion of the event must include the name of the university, be approved by the university sponsor and conform to the policy on University Publications (15.8).
6. The university sponsor will assure the use of Kennedy Auditorium does not result in private gain for the non-university group.

A facility reservation agreement form must be completed and approved by the dean. Verification will be required that space is not available in the Baker Pattillo Student Center prior to a student organization being given permission to use Kennedy Auditorium. The dean will act as arbitrator in circumstances where scheduling conflicts cannot be resolved. No fee will be charge for the use of the auditorium.

General Operating Regulations

1. No signs, messages or other materials may be posted, displayed, distributed or announced in, on, or adjacent to Kennedy Auditorium by the user or sponsor without prior written approval by the dean of the College of Fine Arts - Sciences and Mathematics. Such materials may not be fastened
to any part of the facility except in spaces provided for that purpose and may not be permitted to interfere with crowd movement and safety.

2. All news releases, handbills, advertisements, television and radio announcements or other media utilized to inform the public of a non-university event to be held in Kennedy Auditorium must be approved by University Marketing Communications and must carry a disclaimer, approved by the university general counsel, stating that the use of Kennedy Auditorium does not imply endorsement of the event by the sponsoring organization or the university.

2.3. Safety regulations, as determined by the Kennedy Auditorium facilities director and the university safety officer, will govern all areas of Kennedy Auditorium.

3.4. A walk-through of the auditorium with the facilities director must take place prior to and at the conclusion of the event. The sponsor of the organization must be present for the walk-through.

4.5. The user organization is responsible for the conduct of its representatives, members and guests of the event while in Kennedy Auditorium. Organizations with a history of conduct violations during previous use of Kennedy Auditorium may be denied subsequent use.

5.6. In accordance with Smoking, Vaping and Use of Tobacco Products (13.21), Kennedy Auditorium is a non-smoking facility. Smoking, vaping and using tobacco products is prohibited.

6.7. The user must specify hours of occupancy and may not have any activities in the facility other than at those times. The Kennedy staff will be in attendance and will be paid by the users during all specified hours, according to a schedule of fees kept in the dean’s office.

7.8. All university equipment will be operated by trained personnel employed by the university and/or approved by the Kennedy Auditorium facilities manager.

8. Kennedy Auditorium will not provide any multimedia equipment.

9. Users must specify hours of occupancy and may not have activities in the facility other than at those times.

10. Users may employ their own crews for tasks better understood by their personnel (music stand and chair setup, prop arrangements, etc.). These arrangements must be approved in advance by the dean of the College of Fine Arts and Kennedy facilities manager. Such arrangements do not, however, release the users from the basic personnel charges identified in this policy as stipulated by the schedule of fees.

11. Services provided by the Kennedy staff outside scheduled occupancy will be paid by the users.

12. The user must obtain approval from the Kennedy Auditorium facilities manager before placing any equipment on the stage. All decorations will be installed without defacing the building and will be subject to the supervision and approval of the Kennedy Auditorium facilities manager.

The user organization will not allow beverages, food, gum or refreshments of any kind to be sold, brought into, or served in Kennedy Auditorium. No refreshments will be taken onto the stage, into the backstage areas, or into the auditorium at any time. Exceptions must be approved by the Kennedy Auditorium facilities manager.

13. Stage work will be done at the users’ expense under the supervision of the Kennedy facilities manager. Approval must be secured for organizations to employ their own personnel.

14. User organizations will leave the stage and stage areas, including dressing rooms and access areas, clean and clear after the final performance. Any exception must be approved by the Kennedy facilities manager. If the stage is not cleared within the designated period, the
Kennedy staff will employ a crew for which the users will pay. Users will be released from further clean-up responsibility only after inspection by the Kennedy facilities manager.

15. Additional charges will apply for custodial services required outside regularly scheduled housekeeping hours.

14-16. All users and sponsors will be responsible for payment for damages to the facility, its fixtures and equipment, whether caused by the user, sponsor or its patrons.

12. The user organization will leave the facility, including the stage area, backroom and access areas, clean and clear after the event.

13-17. A cancellation notice of at least 48 hours is required. Failure to do so may result in denial of any future use of the facility.

14-18. The university will not be responsible for items left in the auditorium.

Cross Reference: Use of University Facilities (16.33); Smoking, Vaping and Use of Tobacco Products (13.21)

Responsible for Implementation: Provost and Vice President for Academic Affairs

Contact for Revision: Dean of the College of Fine Arts, Sciences and Mathematics

Forms: Facility Reservation Form, Agreement, Schedule of Fees, Walk-Through Checklist

Board Committee Assignment: Building and Grounds Committee
Policy Name: Parking Regulations

Policy Number: 13.14

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable:

Unit(s) Responsible for Policy Implementation: Parking Services / UPD

Purpose of Policy (what does it do): Parking Enforcement

Reason for the addition, revision, or deletion (check all that apply):

☑ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision:

Specific rationale for deletion of policy:

Additional Comments:

Updated department name.

Reviewers:

John Fields, Chief of Police
Steve Westbrook, Vice President for University Affairs
Damon Derrick, General Counsel
SECTION I: GENERAL PROVISIONS

1. General: Pursuant to the authority granted by the Texas Education Code and as approved by the Board of Regents of Stephen F. Austin State University (SFA), these Parking Regulations are promulgated to regulate and control parking and traffic and the use of parking facilities, to provide for the issuance of parking permits, and to provide for jurisdiction over offenses. These rules and regulations are supplementary to applicable ordinances of the city of Nacogdoches and the statutes of the state of Texas that govern pedestrians and the use of motor vehicles and bicycles.

A. The operation of a motor vehicle or bicycle on university property is a PRIVILEGE granted by the university and is not an inherent right of any faculty/staff member, student or visitor. All faculty, staff, students and visitors who park on university property must have a university parking permit or park in a short-term paid parking space. A parking permit signifies that an individual has been granted the privilege of parking a vehicle on university property and does not guarantee a parking place on campus.

B. The university assumes no liability or responsibility for damage to or theft of any vehicle parked or driven on campus. The university assumes no responsibility or any duty to protect any vehicle or its contents at any time the vehicle is operated or parked on the campus. No bailment is created by granting any parking or operating privileges regarding a vehicle on any property owned, leased or otherwise controlled by the university.

C. Each person operating a motor vehicle on university property is responsible for obeying all university parking services and traffic regulations as well as all city and state parking and traffic regulations. All vehicles operated on the university property must display a valid parking permit 24 hours a day, 365 days a year.

D. These regulations are in effect at all times on university property including semester breaks, holidays, weekends, and intersessions.

2. Administration and Enforcement of these Regulations:

A. Parking: The Parking Services division of the SFA University Police Department (UPD) is authorized to enforce these regulations and is responsible for the administrative functions relating to parking permits; establishing procedures and requirements for the issuance of
parking permits; the collection of enforcement fees for parking and traffic services violations; establishing requirements for the submission of appeals; the processing of appeals from parking and traffic services citations; and for management of parking lots and garages. The Parking Services department supervises parking enforcement assistants who issue parking citations and provide other services such as lock-out and jump starts.

B. The Stephen F. Austin State University Police Department (UPD): The University Police division of UPD is also authorized to enforce these regulations at any time or under any circumstances deemed necessary. UPD officers may issue university citations or court appearance citations enforceable in justice of the peace or municipal court.

The Board of Regents of Stephen F. Austin State University is authorized to employ campus police personnel. Such officers are commissioned as Texas peace officers and are vested with all powers, privileges and immunities of peace officers in the performance of their duties. As Texas peace officers, Stephen F. Austin State University police officers have county-wide jurisdiction in all counties in which the university owns property.

All persons on university property are required to identify themselves to such officers when requested. Failure to produce identification upon request of an officer may result in arrest and appearance before a magistrate.

The university police shall be vested with the authority to refuse to allow persons having no legitimate business to enter upon any property under the control and jurisdiction of Stephen F. Austin State University and to eject any unauthorized persons from said property upon their refusal to leave peaceably upon request.

The university police are authorized to enforce the Texas Motor Vehicle Code, the Texas Penal Code, and applicable ordinances of the city of Nacogdoches, the parking and traffic services regulations of the university, and all other laws.

All accidents, thefts and other offenses that occur on university property or anywhere within the campus area should be reported to the university police immediately. Accident reports should be made prior to moving vehicles. One-vehicle accidents should also be reported. Vehicles should always remain locked.

C. Appeals: Any person receiving a citation may appeal. Appeals must be submitted online through mySFA and must be received within ten (10) calendar days of the date the citation was issued. Forms for submitting second appeals to the appropriate boards are available at the Parking and Traffic Services office during regular business hours and on-line at http://www.sfasu.edu/parking. Boots and impoundments may be appealed in this same manner.

The director of parking and traffic services, or designee, serves as the appeal officer and will review the appeal and any information/evidence relative to its application. The appeal
officer will render one of the following decisions:

**Warning** means the appeal was granted and the fine was waived.

**Voided** means the ticket issued was not valid.

**Denied** means that the ticket has been upheld and the fine must be paid.

The appellant will be notified of the decision via their SFA email account. Should the appellant disagree with the decision of the appeal officer, they may make a final appeal to the appropriate hearing board.

**Appeal Board Hearing:**

To appeal to a hearing board, the appellant must submit their appeal in writing to the Parking Services office within ten (10) days of the appeal officer’s decision. Parking Services will notify the appellant of the date and time of their hearing via email to the appellant’s SFA email address.

Student citation appeals are considered by the Student Government Association Supreme Court, which will for the purposes of this policy be referred to as the Student Appeals Board. Faculty/Staff citation appeals are considered by the Faculty/Staff Appeals Board.

While an appeal must be submitted in writing, an appellant may choose to present their appeal to the Board in person as well. It is the responsibility of the appellant wishing to appear in person to obtain the date and time of the appropriate Appeal Board meeting. The meeting dates for both of these boards are posted in the Parking Services office.

The board will review the appeal and render one of the following decisions:

**Excused** means the ticket and its resulting fine are excused.

**Upheld** means that the decision of the appeals officer was upheld and any resulting fine must be paid.

All decisions of these boards are final.

**Appellant’s Rights**

Appellants shall have the right:

1. to be present at the hearing
2. to be accompanied by an advisor of the appellant’s choice and to consult with such
advisor during the hearing (the advisor may only advise the appellant and may not actively participate in the hearing);
3. to know the identity of the traffic officer or police officer who issued the citation;
4. to hear or examine evidence presented;
5. to make any statement of mitigation or explanation;
6. to have and cross-examine witnesses;
7. to be informed of the disposition of the appeal
8. to inspect and copy the record of the hearing at his/her cost.

Rules of Procedure

1. The board may hear appeals for citations for which an application to appeal has been filed in accordance with these rules.
2. Each citation shall be appealed separately; except in the instance of consecutive citations for the same violation.
3. Each appeal shall be heard and decided on its own merit.
4. The board may examine, cross-examine, call, recall, and dismiss any witness.
5. The board may limit the number of witnesses whose testimony will be repetitious and establish time limits for testimony so long as all viewpoints are given a reasonable opportunity to be expressed.
6. The board shall maintain an adequate record of each hearing. Summary notes shall be deemed an adequate record for this purpose.
7. The chief of police, executive director of public safety, or designee, may represent the university in any hearing.
8. The board may enter into closed session for deliberation at the conclusion of the presentation of evidence.
9. The board's judgment must be rendered at the conclusion of deliberation.
10. A board member must excuse himself/herself from any appeal in which he/she is involved, or in which a member of his/her family is involved.

Findings and Sanctions

The board shall decide only whether or not the defendant is guilty/responsible of the offense as charged in the citation.

The citation charges for each offense are established by the Board of Regents and may not be reduced or eliminated by the Appeals Board if the individual is found guilty/responsible of the parking offense.

Failure to appear at a hearing as requested by appellant shall result in a forfeiture of the personal appearance and the board’s decision will be based on the written appeal.

3. Authority: Parking Services and UPD are authorized to enforce these regulations:

13.14 Parking and Traffic Services Regulations
A. Through the issuance of university citations and collection of enforcement fees, including the periodic billing of unpaid citations and the referral of individual cases pertaining to unpaid campus citations to a collection agency;

B. Through the impoundment of vehicles interfering with the movement of vehicular, bicycle, or pedestrian traffic, blocking a sidewalk or space for those with disabilities, loading dock, ramp, cross-walk, entrance, exit, fire lane, or aisle;

C. Through the impoundment or immobilization of vehicles for unpaid enforcement fees or display of a lost, altered, stolen or unauthorized parking permit;

D. By the suspension, revocation or denial of campus parking and driving privileges, parking permit and garage access privileges to those who have flagrantly violated these regulations;

E. By requiring either the vehicle owner or operator or the person who purchased the permit to appear in court for certain moving violations or at a university hearing for non-payment of outstanding charges or other violations of these regulations;

F. By barring re-admission and by withholding grades, degree, refunds and official transcript of any student for non-payment of outstanding charges in accordance with university standards;

G. By disciplinary action against employees or students who fail to abide by these regulations;

H. By such other methods as are commonly employed by city governments or state agencies in control of traffic regulation enforcement.

I. Violation of the university parking and traffic regulation is a misdemeanor punishable by a fine of up to $200.

J. With approval of the vice president for university affairs, UPD and Parking Services may authorize an alternative method for the payment of fines that is consistent with the university’s mission such as community service hours or the collection of food for area foodbanks.

4. **Proof:** The issuance of a citation reflecting the existence of any parking or traffic control device, sign, short-term spaces, signal or marking at any location on university property shall constitute prima facie evidence that the same was in existence and was official and installed under the authority of applicable law and these regulations. When any person is charged with having stopped, parked and left standing a motor vehicle on the campus, in
violation of any provision of these *Parking Services Regulations*, proof that said vehicle was, at the date of the offense, bearing a valid university parking permit shall constitute prima facie evidence that said vehicle was then and there stopped, parked, and left standing by the holder of the parking permit. If the vehicle does not bear a valid university parking permit, proof that the vehicle at the date of the offense alleged was owned by an individual is prima facie proof that said vehicle was then and there stopped, parked and left standing by the individual.

5. **Responsibility:**

   A. The person to whom a university parking permit is issued is responsible for any citation issued with respect to a car displaying that permit or a vehicle registered through the *Parking Services department* &T by that person.

   B. If the vehicle does not display a valid university parking permit and is not registered through Parking *Services* to any university permit holder, then the person to whom the vehicle is registered through the Texas Department of Transportation or other state agencies at the time of issuance of the citation and that individual’s university affiliate (faculty, staff or student) are responsible for the citation.

6. **Collection Methods:** The university may arrange for collection of debts due to the university pursuant to these regulations in the following manner and as specified elsewhere in these regulations:

   A. Permit payments may be deducted from employee payroll checks with the employee’s permission. Deductions for all permit purchases will continue until the full price of the permit is paid or until the permit is returned. Employees are responsible for monitoring their paychecks to ensure that proper deductions are being made for their SFA parking permit.

   B. A financial hold may be placed against students for past due debts.

   C. Any charge not paid when due may be forwarded to a collection agency or an attorney for collection. The offender will be responsible for paying all costs of collection, including any agency fees and/or reasonable attorney’s fees, which will be added to the total amount due.

**SECTION II: DEFINITIONS**

**COMMUTER:** SFA students without a SFA housing assignment.

**COMPACT CAR:** Any vehicle that is less than 181 inches long (15 feet), and less than 60 inches (5 feet) tall.
CENTRAL CAMPUS: Central Campus is an area between the following border streets: northern border: East College; southern border: East Starr; western border: North Street (Business 59); eastern border: Wilson Drive.

DISABLED VEHICLE: Any vehicle that has mechanical failure that prevents it from being operated at all or impedes the vehicle's operation for a period of more than three (3) days.

DISABLED VETERAN: Any veteran that possesses or qualifies for disabled veteran license plates, or has a disabled placard issued by the Texas Department of Motor Vehicles and provides proof of service through Department of Defense or Department of Veterans Affairs paperwork.

EXTRAORDINARY SERVICE VETERAN: Any veteran that qualifies for or possesses specialty license plates issued by the Texas Department of Motor Vehicles indicating receipt of a Purple Heart, Congressional Medal of Honor, Distinguished Service Medal, Bronze Star Medal, Army Distinguished Service Cross, Air Force Cross, Distinguished Service Cross, Navy Cross, or indicating service as a Prisoner of War or Survivor of Pearl Harbor.

FACULTY/STAFF: Any person employed by the university, regardless of whether the person is employed with or without salary, including casual employees.

FLAGRANT VIOLATIONS: A clear and obvious violation of these rules and regulations, including but not limited to possession of a lost, stolen or altered permit; possession of a permit by someone other than the original purchaser; receipt of 10 or more citations within one academic year; or any violations that substantially impact the daily operations of the university or the health and safety of others.

IMMOBILIZATION: Impoundment of a vehicle in place until certain conditions are met for its release.

IMPOUND: securely hold a vehicle until certain conditions are met for its release.

MOTORCYCLE/MOPED/MOTOR SCOOTERS: A self-propelled device with at least two wheels in contact with the ground during operation; a braking system capable of stopping the device under typical operating conditions; a gas or electric motor; and a deck designed to allow a person to stand or sit while operating the device.

OFFICIAL UNIVERSITY HOLIDAY: Those days when the university is officially closed for business.

PARKING: Stephen F. Austin State University Office of Parking Services.

PARKING ENFORCEMENT OFFICER: Employee of Parking Services who controls the parking of motor vehicles; issues parking citations in parking lots, garages and along streets at SFA; provides guidance and directions to visitors; assists with special-event parking; provides
special services such as escort, vehicle unlocks and jump starts; and immobilizes vehicles in accordance with these regulations.

**PARKING PERMIT:** Permit issued by the Parking Services Department that authorizes parking on university property.

**PARKING SPACE:** An area designated for vehicle parking by pavement or curb markings or signs. Any area not so marked is not a valid parking space.

**PERMIT REQUIREMENTS:** A permit is required at all times on campus, with the exception of university sponsored or hosted events, and/or activities coordinated through Parking Services, and official university holidays.

**PRIVATE CONTRACTOR:** Any person employed by a business, but not affiliated with SFA as faculty, staff or student, which has contracted to operate a business or service function of the university.

**RESIDENT:** SFA students who have a current SFA on-campus housing assignment.

**SEMESTER INTERSESSION:** The period between the day following published last day of SFA finals of one semester and the beginning of the next semester (first day of class) and SFA spring break.

**SFA:** Stephen F. Austin State University

**SHORT TERM PARKING SPACE:** Any parking space for which the payment of an hourly rate is required.

**STUDENT:** Any person who is or has been within the last six months registered and enrolled at the university (including but not limited to online students, special students, part-time students, auditing individuals, teaching assistant students, graduate and research assistants).

**UNAUTHORIZED PARKING PERMIT:** Use of a permit for which the individual is no longer eligible or use of a permit that was purchased/issued to another individual.

**UNIVERSITY:** Stephen F. Austin State University

**UNIVERSITY PROPERTY:** Includes all properties under the control and jurisdiction of the Board of Regents of Stephen F. Austin State University.

**UPD:** Stephen F. Austin State University Police Department, which includes the University Police Department, Office of Parking Services; and Emergency Management.
VEHICLE: Includes, but is not limited to, automobiles, buses, trucks, trailers, motorcycles, motor scooters, motorbikes, mopeds, bicycles, golf carts, club cars and tractors.

VENDOR: An individual or company not affiliated with the university that provides goods or services to the university.

VISITOR: Any person who is not a faculty, staff or student member or official visitor of the university or otherwise eligible for an SFA parking permit.

SECTION III: TRAFFIC REGULATIONS

1. **Compliance:** Every vehicle operator shall comply with these regulations, state law and all traffic control devices at all times, unless otherwise specifically directed by Parking Services & T or UPD. State and local laws pertaining to operation of motor vehicles, bicycles and pedestrians on public streets apply on the campus and streets owned and operated by the university.

   Vehicles are prohibited at all times from parking in reserved spaces without a proper permit, no-parking zones, tow-away zones, fire lanes, crosswalks, loading zones or service driveways, on lawns, curbs or sidewalks, barricaded areas or in any manner which obstructs the flow of vehicular or pedestrian traffic.

   Street parking is prohibited except where signs indicate parking is permitted. The absence of “No Parking” signs does not imply that parking is allowed.

2. **Special Instructions:** No person shall fail to comply with any instruction related to traffic or parking given by a university police officer, director of Parking Services, P&T or a Parking Services & T parking enforcement assistant.

3. **Temporary Restrictions:** The director of Parking Services, or executive director of Safety/Chief of Police or their designee is authorized to temporarily implement restrictions that govern parking and traffic relating to construction, emergency situations or special events on campus, and by agreement with the city of Nacogdoches, on public streets. Notice of such restrictions may be given by the posting of temporary signs or barriers or in any other area deemed appropriate.

4. **Speed Limits:** 20 mph on campus roads, 10 mph in parking lots and service drives and 5 mph in parking garages is the maximum speed limit, at all times, unless otherwise posted.

5. **Traffic Obstruction:** No person shall park or bring to a halt on the campus any vehicle in such a manner as to interfere with normal vehicular or pedestrian traffic or jeopardize safety.
or university property.

6. **Vehicles in Buildings:** With the exception of wheelchairs, ADA scooters or other devices specifically authorized by the director of P&T Parking Services or executive director of public safety/chiefof police or their designee, no person shall place, use, park or otherwise leave a vehicle within any university building other than a parking garage at any time.

7. **Sidewalks, Grass or Shrubbery:** No person shall drive a vehicle on a sidewalk, walkway, patio, plaza, grass, shrubbery or any unmarked or unimproved ground area unless such areas are signed and marked for driving, except as specifically authorized by P&T or DPS Parking Services or UPD.

8. **Passenger Pick-Up and Drop-Off:** No person shall stop a vehicle on any street, alley or driveway on the campus for the purpose of picking up or dropping off a pedestrian without first drawing up to the right-hand curb.

9. **Pedestrians:** Pedestrians have the right-of-way at marked crosswalks, in intersections and on sidewalks extending across a service drive, building entrance or driveway. Pedestrians crossing a street at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles on the street. No pedestrian shall stand on the traveled portion of any street, alley or driveway in such a manner as to obstruct or prevent the free flow of traffic.

10. **Reserved Spaces:** Several parking spaces, regardless of the area in which they are located, are reserved 24 hours a day, seven (7) days a week for service vehicles, residence hall directors, ADA, or as loading zones. This also includes spaces marked for UPD or DPS business, compact cars only, police vehicles only, expectant mothers and visitors.

Parking areas are generally reserved for the type of permit holder indicated by signs from 6 a.m. to 4 p.m., Monday through Friday, except as otherwise indicated. Parking lots 8W (north of McKibben Education Building), 15 (HPE Complex) and 55 (Social Work Building) are reserved Monday through Friday until 8 p.m.

A. A portion of Lot 47 (Commuter Lot), as identified by metal signs, is reserved for band practice on Monday, Tuesday, Wednesday and Thursday beginning at 3:30 p.m. Vehicles will be towed or relocated, at owner’s expense, from this area during this designated time.

B. Some lots may be reserved for tailgating events before, during and after each home football game. These reserved areas will be identified by signage placed out the day of the game. Vehicles inside this area after the specified time may be towed at the owner’s expense.

C. Pecan Park (Lot 54): A portion of the spaces facing the pavilion are reserved for non-
SFA park patrons ONLY. SFA faculty, staff and students are not allowed to park vehicles in Pecan Park patron spaces.

11. **Motorcycle Spaces:** Parking spaces have been designated for motorcycles by curb markings. Spaces so marked are for two-wheeled motor vehicles only. Motorcycles may not park in no-parking zones, fire lanes, reserved spaces or any other space.

12. **Head-In Parking:** All vehicles, except motorcycles, must park head-in and within a defined space in lots and streets having angled or head-in parking.

13. **Parking Designations:** Parking areas are designated by signs and/or color coding on a map obtained online at the Parking Services & T website at http://www.sfasu.edu/parking/. These signs and maps indicate the type of permit for which the area is reserved. Parking along Aikman Drive is reserved for employees that are issued AA permits assigned to that lot.

Certain parking spaces have been designated as 20-minute parking spaces. These spaces are so designated to provide short-term parking for business access to the Stephen F. Austin State University Post Office, student center offices and other designated areas.

Parking more than 20 minutes is prohibited. Citations may be issued for each 21-minute segment of parking overtime.

**SECTION IV: PARKING REGULATIONS**

1. **General:** A vehicle operator shall park only in a parking space as authorized by the parking permit displayed or as otherwise specifically authorized by Parking Services & T or UPD. Each parking lot or garage shall be defined by appropriate signs and/or painted lines (when the parking area is paved). All spaces are designated, but not every space has a sign. It is the responsibility of the permit holder to park in the authorized area. Most lots are authorized for multiple types of permits. The various classes of parking permits and their eligibility requirements, privileges, and limitations are described in detail in this regulation. Parking in a garage requires either the appropriate SFA permit, or in the case of the Student Center Garage, payment by the hour.

A. A permit must be obtained for each academic year or portion thereof. Permits for the current academic year may be obtained at any time during the academic year. Permit purchase is through an online permit application for the next academic year beginning April 1. Permits will be mailed to the address provided by applicant on the first business day in August. All permits purchased after August 1 can be picked up at the Parking Services & T office. Only the permit purchaser, with a picture ID, may pick up a permit at the Parking Services office.
B. A permit must be displayed on the vehicle no later than the first business day that the vehicle is brought on campus.

C. Only the permit for the current academic year should be displayed.

D. Vehicles owned by students cannot normally be registered in the name of a faculty or staff member, unless approved by the executive director of public safety/chief of police or the director of Parking Services P&T or their designee.

E. Anyone whose SFA status changes must update their permit to reflect that change no later than the first university business day after the change takes place. If the permit number of a returned permit is legible, then the replacement permit will be issued for $15. Otherwise, the regular fee will be charged. If the customer’s permit designation changes from Housing to Commuter, and the person has already purchased the Housing permit, there is no fee for changing the permit to a Commuter in the middle of the academic year.

F. A vehicle should not be sold with the parking permit still displayed.

G. Damaged parking permits should be replaced immediately through the Parking and Traffic Services office.

2. **Use of Parking Permits:** no person shall lend, sell or otherwise allow another person to use their permit, except as specifically authorized by these regulations. Misuse of a permit may result in confiscation of the permit without refund and a restriction on issuing permits for at least one year. Persons found displaying said permit in violation of this section will be subject to the appropriate fine, booting, and/or towing of their vehicle(s).

3. **Permit Requirements:** a permit is required at all times on campus, except if paying by the hour or day in the Student Center Garage or the short-term paid spaces in Lot 21 or as otherwise specified in this policy. Vehicles are eligible to park only as authorized by the class of permit issued. (Section V.2, Permits, “Classes of Permits and Eligibility,” sets forth the classes of permits and eligibility requirements).

All faculty, staff, students (full or part-time) or employees of private contractors or other government agencies assigned to Stephen F. Austin State University, who operate a vehicle on university property, regularly or occasionally, are required to obtain a parking permit.

4. **Manner of Parking:** No person shall:

   A. Park without a current parking permit or payment of the designated short-term parking, except as specifically authorized by the director of Parking Services P&T or the executive director of public safety/chief of police or their designee.
B. Park a vehicle such that it occupies portions of more than one parking space.

C. Park a vehicle with the left wheels to the curb unless parked on a one-way street.

D. Double park a vehicle.

E. Park a vehicle in a manner that obstructs “disabled” parking spaces, walkways, driveways, ramps, loading docks, or marked crosswalks.

F. Park any vehicle on a sidewalk, walkway, patio, plaza, grass, shrubbery or any unmarked or unimproved ground area.

G. Park a vehicle or permit a vehicle to stand in or block access to any area designated as a fire lane or 15 feet in either direction of a fire hydrant. Fire lanes are designated by posted signs and/or yellow or red painted curbs. Any emergency authorization for use of fire lanes must be obtained through UPDDPS.

H. Park a vehicle in a no parking zone

I. Park a vehicle in an area designated as a bus stop.

J. Park in a space with a barricade or remove a barricade, except as specifically authorized by Parking Services P&T or UPDDPS.

K. Park a trailer, recreational vehicle or mobile home on university property unless specifically coordinated and approved by Parking Services P&T.

L. Park or store a vehicle during May and summer semesters I and II without explicit permission from the director of parking.

M. Park or store a bicycle except at designated bicycle parking areas.

5. **Loading Zones**: Loading zones/docks are intended for the delivery of bulky items that cannot be carried long distances. The operator of a vehicle making deliveries must be actively loading or unloading the vehicle with the flashers engaged, and may not be parked in the loading zone for longer than 15 minutes. When loading/unloading is completed, the vehicle must be relocated to the assigned lot. If the loading/unloading activity will take longer than 15 minutes, contact Parking Services P&T for assistance.

6. **ADA Parking**: No person shall park a vehicle in an ADA space without a university permit and appropriate state disabled placard or license plate. ADA parking is provided in all parking lots on campus. These spaces are reserved 24 hours a day, seven (7) days a week for the holders of state ADA parking placards or license plates. A current SFA permit is also required. Only the person to whom the ADA plate or placard is issued may use the permit for such
parking.

A. ADA permits and temporary handicapped permits are issued by the county tax assessor collector of any Texas county.

B. Only vehicles displaying an ADA permit or temporary handicapped permit or license plate may park in “Reserved for Handicapped” parking spaces or any other area designed for disabled persons such as an access ramp or curb cut. These vehicles must also display a valid Stephen F. Austin State University parking permit. The person for whom the ADA permit has been issued must be with the vehicle at the time it is parked.

C. A vehicle displaying a valid SFA parking permit and a valid ADA permit or license plate may park in any non-reserved parking space on campus or on Aikman Drive in Lot 7. Reserved parking spaces are reserved 24 hours a day/ seven (7) days a week for service vehicles, residence hall directors, visitors, and loading zones.

D. Faculty/staff members who have a valid ADA placard or license plate issued by the state of Texas may purchase a commuter permit in lieu of a faculty/staff permit.

7. **Expectant Mother, Temporarily Sick or Injured Permit:** A temporary permit or expectant mother permit may be obtained by a person who holds a current parking permit allowing them to park in specifically designated areas; areas designated will be based upon resources available and needs of the applicant.

A. **Temporarily Sick or Injured Permit:** Valid for up to one week allows parking in designated lots and must display dashboard permit. Application for this permit must be accompanied by a doctor’s statement. This permit may only be issued one time per semester. Those needing more than one week of time should obtain a state issued temporary ADA placard. Information is available at the parking and traffic website.

B. **Expectant Mother Permit:** Valid during the third trimester or when designated as high risk circumstances, this permit allows parking in spaces specifically designated by Parking Services— and Traffic. Application for this permit must be accompanied by a doctor’s statement indicating the need for closer parking and/or in the third trimester of pregnancy.

8. **Health Clinic Parking:**
Spaces designated as “Clinic Parking” in Lot 10 are for university health clinic patients only. Citations received in clinic spaces while a patient in the clinic should be turned in to the health clinic for validation.

9. **Visitor Parking:** Official visitors, not otherwise eligible for a university parking permit, may be offered visitor permits, not to exceed three days without the specific permission of the
director of Parking Services. Visitor parking is set aside for special interest areas of the university. These spaces may not be utilized by university personnel, students or employees of private contractors assigned to Stephen F. Austin State University. These spaces are reserved for bona fide visitors to the university. Visitors should obtain a visitor parking permit from the Parking and Traffic Services office or the Information Booth on Vista Drive/Griffith Blvd during normal business hours. Visitor permits can be obtained at the University Police Department after 5 pm and on weekends. Visitors are required to show a valid driver’s license to obtain a visitor permit.

10. Emergency Vehicle Parking: Emergency vehicles are exempt from the provisions of these regulations when being operated in response to an emergency situation.

11. Abandoned Vehicles: The university may deem a vehicle parked on university property for more than 48 hours without a valid permit to be abandoned and may remove such vehicle as provided in Ch. 683 of the Texas Transportation Code.

12. Disabled Vehicles: If a vehicle becomes temporarily disabled and cannot be parked in its assigned area, it must immediately be reported to the Department of Public Safety UPD. The fact that the vehicle is temporarily disabled will be recorded, and an officer will either render assistance or authorize temporary parking. Temporary parking will only be authorized for 24 hours or less. If parking for a longer period is necessary, authorization must be renewed at 24-hour intervals and such authorization shall not exceed three (3) days. Temporary parking will not be authorized in areas that are not parking spaces (tow-away or no-parking zones, etc.) or in disabled parking. A permit may not be purchased for display on a disabled vehicle. For these purposes, a disabled vehicle is a vehicle that has been disabled for more than three days.

13. Short-term Pay Parking (Student Center Parking Garage and designated spaces in Lot 21): Short-term pay parking is available in these locations for parking without a permit and paying the hourly rate.

14. Student Center Parking Garage Fees: The use of the Student Center Parking Garage is deemed Pay-Per-Use 24 hours a day, 7 days a week. Permit and hourly rates may be found on the Parking Fees Table located in Appendix A.

15. Special Events: Any university department hosting an event on campus may request event parking.

16. Student Center Parking Garage: The individual department is responsible for notifying Parking Services within 48 hours of the event with the number of permits/passes needed for the event. Passes for the Student Center Parking Garage will not be issued without a minimum of 48-hour notice. This is to allow for the parking arrangements to be made to
accommodate the visitors to campus. The fee for a department to utilize the parking garage for an event is $3 per day per permit. The amount will be charged to the requesting department via Inter-Departmental Transfers (IDTs).

17. **Camps:** Camps hosted on university property are required to purchase parking through the coordinator of university reservations and conferences. These passes will be provided, based upon minimizing impact upon normal university operations, for a specific lot and can be commuter, resident, or faculty/staff spaces at a cost of $3 per day. Permits must be ordered with a minimum of 48-hour notice.

**SECTION V: PARKING PERMITS**

1. **Issuance of Permits:** The director of Parking Services may issue a parking permit to any person or company desiring to park on university property. The director of Parking Services shall allocate permits, at the director’s discretion, among the faculty, staff, students and visitors of the university in a manner intended to serve the needs of the university.

A parking permit will be issued upon application online through the mySFA parking portal. All outstanding citations or parking fees must be paid before a permit may be issued. An individual may only use one parking permit at any time. Permits may be transferred to any vehicle registered on the parking account of the original permit purchaser. Ownership of all permits remains with the university and is not transferable.

The director of Parking Services may issue special permits for events to the host department. Parking areas are subject to closure by the director of Parking Services for special events, construction or other special circumstances. The director of Parking Services may establish fees for special circumstance parking, including event parking.

**Bicycles:** The university does not require the registration of bicycles; however, owners are encouraged to have bicycles marked for identification purposes at UPDDPS. Information is located on the UPDDPS section of the website at [http://www.sfasu.edu/upd/du/dps](http://www.sfasu.edu/upd/du/dps). UPDDPS will record bicycle serial number and description and make available an engraving tool to mark bicycles for identification. There is no charge for this service.

A. Every person operating a bicycle on university property must give the right-of-way to pedestrians at all times, keep to the right of the roadway and obey all traffic signals.

B. Bicycles may not be parked on sidewalks or in university buildings at any time. Bicycles are to be parked in bicycle racks. Bicycles may not be left on porches or walkways and may not be chained to trees, light poles, shrubs, art objects, handrails or stairways.

C. Bicycles parked in violation may be impounded and removed by the University Police Department and a $25 fee charged for release.
2. Classes of Permits and Eligibility:
   A. Faculty/Staff:

   **Class "AA"**
   Eligibility: SFA faculty and staff as designated by the president and vice presidents Price: Refer to Appendix A for rates
   Where: valid in any space on university property, except disabled spaces (unless a state disabled placard or license plate is displayed), or reserved spaces (service truck, hall director, visitor, etc.).

   **Class “F”**
   Eligibility: SFA faculty and staff, un-affiliated ARAMARK, unaffiliated programs, and Barnes & Noble employees
   Price: Refer to Appendix A for rates
   Where: valid in the faculty/staff lots except Aikman Drive, which requires an AA permit, disabled spaces (unless a state disabled placard or license plate is displayed), resident spaces or reserved spaces (service truck, hall director, visitor, etc.).

   **Class “PG” – Student Center Garage Permits**
   Eligibility: SFA faculty and staff Price: Refer to Appendix A for rates
   Where: valid for parking in the Student Center Parking Garage or in any Commuter space.

   **Class “M”**
   Eligibility: SFA faculty and staff Price: Refer to Appendix A for rates Where: valid in any area designated for motorcycle parking.

   **Class “B” – Faculty/Staff Class “B” Daily Surface Permit**
   Eligibility: SFA faculty and staff, SFA departments via IDT, contractors and vendors
   Price: Refer to Appendix A for rates (minimum purchase of 5 permits) Where: valid in the faculty/staff lots except Aikman Drive, which requires an AA permit, disabled spaces (unless a state disabled placard or license plate is displayed), resident spaces or reserved spaces (service truck, hall director, visitor, etc.). These permits may not be issued to SFA students.

   B. Student
   **Class “PG” – Student Center Garage Permits**
   Eligibility: SFA students Price: Refer to Appendix A for rates
   Where: valid for parking in the Student Center Parking Garage or any Commuter space.

   **Class “C” - Commuter Student Surface Permit**
   Eligibility: SFA students not living in university housing
Price: Refer to Appendix A for rates
Where: valid for parking in any Commuter space.

**Class “H” - Resident Student Permit**
Eligibility: SFA students with a current SFA housing assignment
Price: Refer to Appendix A for rates
Where: valid for parking in the Resident or Commuter spaces except levels 1 and 2 of the Wilson Garage.

**Class “M”**
Eligibility: SFA Students
Price: Refer to Appendix A for rates
Where: valid in any area designated for motorcycle parking.

**Class “S” - Commuter Student Daily Surface Permit**
Eligibility: SFA students without an SFA housing assignment
Price: Refer to Appendix A for rates (minimum purchase of five permits)
Where: valid for parking in any Commuter space

**Class “K” - Resident Housing Student Daily Surface Permit**
Eligibility: SFA students with an SFA housing assignment
Price: Refer to Appendix A for rates (minimum purchase of five permits)
Where: valid for parking in Resident or Commuter spaces on campus except levels 1 and 2 of the Wilson Garage.

**C. Other**

**Class “W” – Activities Permit**
Eligibility: Any person not eligible for any other permit but utilizing campus resources or property. Those who are family members of faculty, staff or students are eligible, provided the family member that is affiliated with the university has purchased a valid parking permit. Students, faculty, and staff are not eligible for an activities permit.
Price: Refer to Appendix A for rates
Where: valid for parking in Commuter spaces and Lot 14, Lot 53, or any space outside the central campus area.

**Class “CV” – Contractor/Vendor Parking Permit**
Eligibility: Any non-affiliated vendor, salesperson, technical representative, other service personnel (such as copier repairers) or contractor. Students, faculty and staff are not eligible for vendor/service permits.
Price: Refer to Appendix A for rates
Where: valid for parking in Faculty/Staff spaces when conducting university business, except along Aikman Drive.
Class “RT” – Retired Faculty/Staff Parking Permit
Eligibility: Any SFA retiree who does not receive compensation for employment from SFA
Price: No charge
Where: valid for parking in Faculty/Staff spaces, except Aikman Drive.

Class “DV” – Qualifying Veterans Permit
Eligibility: Any person that meets or exceeds the requirements of the Texas Department of Motor Vehicles necessary to qualify for specialty license plates defined as Extraordinary Service Veterans or Disabled Veterans by the State of Texas Transportation Code. The qualifying veteran is eligible for one permit restricted for use of the veteran.
Price: No charge
Where: Valid for parking in any space the person would otherwise qualify for this permit only. This permit exempts fees only.

Graduate Assistant Upgrade:
Eligibility: SFA graduate assistants, approved by the dean of each college, not to exceed 30 per college, per semester or approved by the department head for non-academic areas.
Price: $10 per semester
Where: upgraded parking to Faculty/Staff spaces in assigned lots

Dual Credit Student Upgrade:
Eligibility: Dual credit high school students
Price: $5 per semester
Where: upgraded parking to Faculty/Staff spaces in assigned lots.

D. Display of Permits: Permits shall be displayed on the vehicle according to the instructions furnished on the permit. Each academic year a permit holder who fails to display their permit will be allowed three warnings for parking in an authorized area without displaying the permit.

E. Surrender or Removal of Permits: Termination of relationship with SFA: A permit holder shall return their permit to SFA when the permit holder’s relationship with the university terminates. Permits not returned to SFA remain active, and the permit holder is responsible for the permit fee.

Permit holders are required to remove and surrender their permit:

i. In the case of a decal permit when there is a change in ownership of the vehicle
ii. When a replacement permit has been issued
iii. Upon revocation of the permit

F. Expiration of Permits: Permits expire on the date listed on the face of the permit.
G. **Payment of Permit Fees:** When an application is made for a permit, the fee charged will be for the entire permit period or for the entire unexpired portion of the permit period. See Appendix A: Parking Fees Table for specific permit fees.

H. **Lost/Stolen Permits:** A permit holder shall immediately report to Parking Services& Traffic any lost/stolen permit and complete the associated report. Lost/stolen permits may be replaced for a fee (see Appendix A: Parking Fees Table). Any permit recovered after such a report has been filed must be returned to Parking Services& Traffic immediately. Use of a permit that has been reported as lost/stolen is subject to fines and penalties as described in these regulations.

I. **Permit Refunds:** A permit is non-refundable, unless returned within 10 days of the date of sale and is not transferable from the person to whom it is issued to another individual. Resale of parking permits is prohibited and will be considered a false or fictitious permit.

J. **Permit Misuse:** Misuse of any permit may result in confiscation of the permit, and no permit may be issued to that individual for at least one year thereafter. Parking Services& Traffic is authorized to suspend campus parking and driving privileges on university property for any person whose vehicle is cited for displaying a lost, stolen or altered permit, or any SFA parking permit not issued in accordance with these regulations. Students will be referred to the Office of Student Rights and Responsibilities, and faculty/staff will have the matter forwarded to the appropriate dean, director or department head for disciplinary action. Violators who are found in possession of a lost, stolen or altered permit may also be required to pay the annual cost of the permit type they fraudulently used.

**SECTION VI: SPECIAL SERVICES**

1. **Escort Services:** The Department of Public Safety UPD and Office of Parking Services and Traffic offers escort service upon request between dusk and dawn to individuals requiring transportation to and from residence halls, academic buildings and/or vehicles. To receive an escort, either request in person at the Department of Public Safety UPD or by telephone at 936-468-2608. The Department of Public Safety UPD also provides escort 24 hours a day to local hospitals for emergencies when immediate medical care is not needed. Ambulance service may be requested for medical transport if the responding officer deems necessary. The expense for ambulance transfer is the responsibility of the person using the service. For further information on the escort service, call the Department of Public Safety UPD at 936-468-2608.

2. **Jump Starts and Vehicle Unlocks:** Services such as battery jump starts and vehicle unlocks are offered by the Department of Public Safety UPD as time permits. The Department of
Public Safety UPD does not change flats, push cars or perform other automotive service.

3. Special Events: Parking Services & T employees will assist SFA event sponsors with convenient and effective access while limiting the impact the event traffic will have on campus parking. Parking Services & T offers services such as barricading spaces, placement and removal of cones, golf cart service, etc. Event parking management will be guided by:
   - Available parking spaces
   - Expected attendance
   - Costs that may be incurred by department sponsoring event
   - Expected/potential impact on regular users of the area
   - Logistical ability of Parking Services & T to manage event
   - Whether or not the event is university or non-university sponsored

SECTION VII: ENFORCEMENT

1. Parking and Traffic Citations:
   A. Issuance: Any person violating these regulations may receive a citation.
   B. Parking Services & T Authority: University Parking Services enforcement assistants officers are authorized to write university parking citations.
   C. UPD Authority: UPD officers are authorized to issue university citations and court appearance citations for violation of these regulations. It is the general policy of the university to issue court appearance citations only for moving violations and for any violation when the individual’s driving or parking privileges have been suspended, although UPD may issue a court appearance for any appropriate violation. All vehicles driven on Stephen F. Austin State University property are subject to all university traffic regulations, state of Texas motor vehicle codes and city of Nacogdoches motor vehicle laws. Moving violations may be issued on a city of Nacogdoches traffic citation or filed in the office of the appropriate justice of the peace or with the city of Nacogdoches Municipal Court.
   D. Fees for parking violations may be paid in person at the university business office between 8 a.m. and 4:30 p.m. Monday through Friday, online through an eBill, or mailed to:
      Stephen F. Austin State University c/o Business Office
      P.O. Box 13053, SFA Station
      Nacogdoches, TX 75962-3053

2. Failure to Discharge Court Appearance Citations: Failure to discharge a court appearance citation may result in the issuance of an arrest warrant.

3. University Citations: University citations are issued for offenses listed in Section VIII:
Driving and Parking Offenses. Any person receiving a university citation must remit the amount of the charge or submit an appeal to Parking Services\&T within ten (10) days after issuance of the citation. Any towing, booting and/or storage fees for removal of an impounded or immobilized vehicle or bicycle must be paid regardless of whether an appeal has been submitted.

4. **Appeals of University Citations:** Any person issued a university citation may appeal the citation within ten (10) days of the citation's issuance online through the mySFA portal. Any citation that is not a warning must be appealed as described in these regulations.

5. **Failure to Pay Citation Charges:** Unpaid citations can result in student financial holds preventing students from receiving grades, refunds, official transcripts or graduating. Additional collection efforts may also be utilized as specified in these regulations. Ten (10) or 6.5 more violations within one academic year may result in suspension of driving and parking privileges on campus and/or disciplinary action.

6.6. **Vehicle Immobilization or Impoundment:** Parking Services\&T or UPD may immobilize (boot) or impound (tow/relocate to a storage area) a person’s vehicle for the following reasons:

A. the person and/or vehicle has accumulated three (3) or more past due parking citations

All citations issued will contain a notice informing the violator that a consequence of three (3) or more outstanding citations is the potential that their vehicle may be booted or impounded.

If a violator has two or more outstanding citations when a third is issued, a notice will be sent to the violator’s SFA e-mail account notifying them that ten (10) days following the issuance of the third citation their vehicle will be eligible to be booted or impounded unless all of the outstanding citations are addressed by payment or by appeal if allowed within the time limits outlined in this policy.

Each notice, both physical and e-mail, will include information about how to pay or appeal the citation(s).

Violators who believe the Parking Services\&T records are incorrect, or have any questions regarding any of the citations, should contact Parking Services\&T within 10 days of the date of the notification at (936) 468-PARK (7275) Monday through Friday between the hours of 7:00 AM and 5:00 PM or by email to sfaparking@sfasu.edu.

B. the person and/or vehicle is parked in violation of the terms of a conditional release

C. the vehicle is parked in an ADA space without displaying a state ADA placard or license
D. the driver is illegally using an ADA permit assigned to another individual

E. the driver is in possession of a lost, stolen, altered or unauthorized permit

Once a vehicle is immobilized, all outstanding citations and the immobilization or impound fee must be paid in full and an appropriate permit must be purchased prior to the release of the vehicle.

The university is not responsible for any damage to the vehicle during booting, towing, relocation, or storage. After notice has been posted on the vehicle, vehicles booted for longer than three (3) days may be impounded (towed to a storage area). The owner and operator are jointly and severally responsible for any booting, towing or storage fees.

No vehicle may be towed without the express approval of the executive director of public safety/UPD, chief of police, the director of Parking Services, or their designee.

The immobilization device is the property of SFASU, Parking Services and UPD. Any attempt to tamper with or remove the immobilization device shall make the offender liable for destruction of state property and criminal charges may be filed with the University Police Department.

Section 2.C. of these regulations outlines the appeal process for citations, boots and impoundments.

8.7 Suspension of Parking Privileges:

Notices of parking violations may constitute a suspension of parking privileges, and any fee assessed is for reinstatement of parking privileges for operators of vehicles registered with the university.

All violations involving registration of vehicles operated on the properties of the university are violations of the law and SFA Parking and Traffic Services Regulations. Disposition of these citations at the university is a privilege extended by the university, which may be withdrawn at the university’s option.

Violation of suspension of parking privileges may result in removal of the vehicle by tow away.

Driving and parking privileges may be suspended by Parking Services, UPD or the Office of Student Rights and Responsibilities if the violator has displayed a lost, stolen or altered permit or other flagrant violations of these regulations. The loss of the privilege of driving or parking a vehicle on campus shall commence immediately following notification of
suspension. Such notification shall state the term of the suspension and consequences for violation of the stated terms. The violations of the suspension shall be reported to the Office of Student Rights and Responsibilities if the person is a student or to the appropriate dean, director or administrative official for possible disciplinary action if the person is a faculty or staff member.

If a person whose privilege of driving or parking on campus has been suspended receives a university citation by reason of having a vehicle on campus during the period of their suspension, the period of suspension may be extended and a referral to the appropriate university office may be made for further university disciplinary action.

A. A person receiving notice that their privilege of driving or parking on university property has been suspended shall return, without refund, the permit issued to the Parking Services office immediately.

9-8. No Excuse:
The absence of sufficient parking spaces on the university campus is not justification for violation of these regulations. Failure to enforce any regulation shall not constitute a waiver of the university’s authority to enforce these regulations. Other improperly parked vehicles do not constitute an excuse for improper parking.

SECTION VIII: DRIVING AND PARKING OFFENSES
2019-2020 Parking Violations

<table>
<thead>
<tr>
<th>Code</th>
<th>Violation Description</th>
<th>Fine</th>
</tr>
</thead>
<tbody>
<tr>
<td>A1</td>
<td>Displaying a valid permit, but in violation of lot or area assignment <em>(6a-4p M-F; Reserved lots are reserved until times indicated by signage)</em></td>
<td>$40</td>
</tr>
<tr>
<td>A2</td>
<td>Parking backward in a parking space</td>
<td>$30</td>
</tr>
<tr>
<td>A3</td>
<td>Failing to display a valid parking permit</td>
<td>$40</td>
</tr>
<tr>
<td>A4</td>
<td>Not parking properly within the lines of a parking space</td>
<td>$30</td>
</tr>
<tr>
<td>A5</td>
<td>Parking in a space designated &quot;20 minute only&quot; for more than 20 minutes</td>
<td>$30</td>
</tr>
<tr>
<td>A6</td>
<td>Displaying a permit assigned to another vehicle</td>
<td>$30</td>
</tr>
<tr>
<td>A7</td>
<td>Display two or more valid permits</td>
<td>$30</td>
</tr>
<tr>
<td></td>
<td>Violation</td>
<td>Fine</td>
</tr>
<tr>
<td>---</td>
<td>---------------------------------------------------------------------------</td>
<td>--------</td>
</tr>
<tr>
<td>A8</td>
<td>Failure to display proper permit on registered vehicle (three warnings per academic year, then $10 per incident)</td>
<td>$10</td>
</tr>
<tr>
<td>A9</td>
<td>Expired short-term parking</td>
<td>$30</td>
</tr>
<tr>
<td></td>
<td><strong>Flagrant Violations</strong></td>
<td></td>
</tr>
<tr>
<td>B1</td>
<td>Parking in a reserved parking space without displaying a proper permit (plus tow fee if applicable)</td>
<td>$40</td>
</tr>
<tr>
<td>B2</td>
<td>Parking a vehicle in a no-parking zone (plus tow fee if applicable)</td>
<td>$40</td>
</tr>
<tr>
<td>B3</td>
<td>Parking in any manner which obstructs vehicular traffic (plus tow fee if applicable)</td>
<td>$40</td>
</tr>
<tr>
<td>B4</td>
<td>Parking in a manner which obstructs a crosswalk (plus tow fee if applicable)</td>
<td>$40</td>
</tr>
<tr>
<td>B5</td>
<td>Parking in a fire lane (plus tow fee if applicable)</td>
<td>$75</td>
</tr>
<tr>
<td>B6</td>
<td>Parking in a tow-away zone (plus tow fee if applicable)</td>
<td>$40</td>
</tr>
<tr>
<td>B7</td>
<td>Parking in a loading zone or service driveway (plus tow fee if applicable)</td>
<td>$40</td>
</tr>
<tr>
<td>B8</td>
<td>Parking on a lawn, curb, sidewalk or other area not set aside for parking (plus tow fee if applicable)</td>
<td>$40</td>
</tr>
<tr>
<td>B9</td>
<td>Parking on campus while parking privileges are suspended (plus tow fee if applicable)</td>
<td>$150</td>
</tr>
<tr>
<td>C1</td>
<td>Moving a barricade or parking within any barricaded area (plus tow fee if applicable)</td>
<td>$40</td>
</tr>
<tr>
<td>C2</td>
<td>Using a forged, altered, false, fictitious or stolen permit (plus tow fee if applicable)</td>
<td>$150</td>
</tr>
<tr>
<td>C3</td>
<td>Falsifying or altering vehicle registration information (plus tow fee if applicable)</td>
<td>$100</td>
</tr>
<tr>
<td>C4</td>
<td>Parking in/blocking a handicapped space, ramp, or unloading zone w/o placard (plus tow fee if applicable)</td>
<td>$150</td>
</tr>
<tr>
<td>C5</td>
<td>Having a vehicle towed from campus</td>
<td>**</td>
</tr>
<tr>
<td>C6</td>
<td>Citation with move</td>
<td>$40</td>
</tr>
<tr>
<td>C7</td>
<td>Vehicle moved to another location on campus</td>
<td>**</td>
</tr>
<tr>
<td>C8</td>
<td>Vehicle has been wheel locked</td>
<td>$75</td>
</tr>
<tr>
<td>C9</td>
<td>Parking in violation of the direction of a traffic control officer</td>
<td>$40</td>
</tr>
</tbody>
</table>
C10  Theft of property or damaging property by unauthorized boot removal or tampering/attempted removal of the boot (plus replacement cost of damaged property)  $150

C11  Improper exit from a university parking garage (plus maximum daily fee due)  $75

C12  Parking in a garage without payment (limited to once a semester)  $15

Flagrant violations are enforced 24 hours a day, 7 days a week and are subject to immobilization or impound.

** Rates will be posted in the Parking Services office after competitive bid process.

APPENDIX A: PARKING FEES TABLE

<table>
<thead>
<tr>
<th>Permit Type</th>
<th>Description</th>
<th>2019-2020 SFA Parking Permits</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2019-2020 SFA Parking Permits</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Permit Sales Rate Chart</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Faculty and Staff</td>
<td></td>
</tr>
<tr>
<td>Permit</td>
<td>Description</td>
<td>Annual</td>
</tr>
<tr>
<td>AA</td>
<td>Faculty/Staff AA Permit</td>
<td>*see below</td>
</tr>
<tr>
<td>F</td>
<td>Faculty/Staff Assigned Lot Permit</td>
<td>*see below</td>
</tr>
<tr>
<td>PG</td>
<td>Annual Student Center Garage Permit</td>
<td>$435 NA NA</td>
</tr>
<tr>
<td></td>
<td>Semester Student Center Garage Permit</td>
<td>NA $200 $200</td>
</tr>
<tr>
<td>M</td>
<td>Motorcycle Permit</td>
<td>$60</td>
</tr>
<tr>
<td>B</td>
<td>Faculty/Staff Daily Permit</td>
<td>$3/Da $3/Da $3/Daa</td>
</tr>
</tbody>
</table>

APPENDIX A: PARKING FEES TABLE

<table>
<thead>
<tr>
<th>Permit Type</th>
<th>Description</th>
<th>2019-2020 SFA Parking Permits</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2019-2020 SFA Parking Permits</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Permit Sales Rate Chart</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Faculty and Staff</td>
<td></td>
</tr>
<tr>
<td>Permit</td>
<td>Description</td>
<td>Annual</td>
</tr>
<tr>
<td>AA</td>
<td>Faculty/Staff AA Permit</td>
<td>*see below</td>
</tr>
<tr>
<td>F</td>
<td>Faculty/Staff Assigned Lot Permit</td>
<td>*see below</td>
</tr>
<tr>
<td>PG</td>
<td>Annual Student Center Garage Permit</td>
<td>$435 NA NA</td>
</tr>
<tr>
<td></td>
<td>Semester Student Center Garage Permit</td>
<td>NA $200 $200</td>
</tr>
<tr>
<td>M</td>
<td>Motorcycle Permit</td>
<td>$60</td>
</tr>
<tr>
<td>B</td>
<td>Faculty/Staff Daily Permit</td>
<td>$3/Da $3/Da $3/Daa</td>
</tr>
<tr>
<td>Permit Type</td>
<td>Description</td>
<td>Sept 2019</td>
</tr>
<tr>
<td>-------------</td>
<td>--------------------------------------</td>
<td>-----------</td>
</tr>
<tr>
<td>C</td>
<td>Commuter Permit</td>
<td>$112</td>
</tr>
<tr>
<td>H</td>
<td>Campus Resident Permit</td>
<td>$145</td>
</tr>
<tr>
<td></td>
<td>Campus Resident Second Vehicle</td>
<td>$106</td>
</tr>
<tr>
<td>M</td>
<td>Motorcycle Permit</td>
<td>$60</td>
</tr>
</tbody>
</table>

**Miscellaneous**

<table>
<thead>
<tr>
<th>Permit Type</th>
<th>Description</th>
<th>Sept 2019</th>
<th>Jan 2020</th>
<th>May 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>W</td>
<td>Fitness Permit</td>
<td>$20</td>
<td>$20</td>
<td>$20</td>
</tr>
<tr>
<td>CV</td>
<td>Contractor/Vendor Permit</td>
<td>$170</td>
<td>$114</td>
<td>$58</td>
</tr>
<tr>
<td>T</td>
<td>Trailer Permit</td>
<td>$50</td>
<td>$33</td>
<td>$17</td>
</tr>
<tr>
<td>RV</td>
<td>Occupied Recreational Vehicle**</td>
<td>$40</td>
<td></td>
<td></td>
</tr>
<tr>
<td>DV</td>
<td>Qualifying Veteran Permit</td>
<td>$0</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Per night, after four (4) days**

<table>
<thead>
<tr>
<th>Permit Type</th>
<th>Description</th>
<th>Sept 2019</th>
<th>Jan 2020</th>
<th>May 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Student Center Garage Hourly Parking</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>0-30 Minutes</td>
<td>No Charge</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>First Hour</td>
<td>$2.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Each Hour Thereafter</td>
<td>$1.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Maximum Daily Charge</td>
<td>$8</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Lost Parking Ticket</td>
<td>$15</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Permit Type</th>
<th>Short-Term Paid Parking Lot 21</th>
<th>First Hour</th>
<th>Each Hour Thereafter</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Replacement Permit</td>
<td>$15</td>
<td>$1.00</td>
</tr>
<tr>
<td></td>
<td>Bicycle Release Fee</td>
<td>$25</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Lost/Stolen Replacement Permit</td>
<td>$25</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Grad Assistant Upgrade</td>
<td>$10</td>
<td></td>
</tr>
</tbody>
</table>

**Fees**

<table>
<thead>
<tr>
<th>Permit Type</th>
<th>Sept 2019</th>
<th>Jan 2020</th>
<th>May 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Appendix 2
Dual Credit Upgrade | $ 5

<table>
<thead>
<tr>
<th>Faculty/Staff or Other Government Agencies Annual Permit Fees</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Salary</strong></td>
</tr>
<tr>
<td>$19,999.99 and Less</td>
</tr>
<tr>
<td><strong>Fees</strong></td>
</tr>
<tr>
<td>$36</td>
</tr>
</tbody>
</table>

FS permits are prorated monthly.

**Cross Reference:** Parking and Traffic Regulations and Information; Tex. Educ. Code §§ 51.201-.211, 54.505; Tex. Transp. Code § 681.008, Ch. 683

**Responsible for Implementation:** Vice President for University Affairs

**Contact for Revision:** Executive Director of Public Safety/Chief of Police

**Forms:** None

**Board Committee Assignment:** Academic and Student Affairs
POLICY SUMMARY FORM

Policy Name: Part-time Faculty

Policy Number: 7.21

Is this policy new, being reviewed/revised, or deleted?  Review/Revise

Date of last revision, if applicable: January 31, 2017

Unit(s) Responsible for Policy Implementation: Provost and Vice President for Academic Affairs

Purpose of Policy (what does it do): Description/guidelines for part-time faculty

Reason for the addition, revision, or deletion (check all that apply):

☑ Scheduled Review  ☐ Change in law  ☐ Response to audit finding

☐ Internal Review  ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: Deleted statement regarding former tenured full-time faculty to be in line with The Higher Education Coordinating Board and institutional procedures.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Academic Policy Committee
Steve Bullard, Provost and Vice President for Academic Affairs
Damon Derrick, General Counsel
Part-time Faculty

**Original Implementation:** September 19, 1984  
**Last Revision:** January 31, 2017 July 21, 2020

A part-time faculty member is one who holds less than a full-time academic workload and is not in a tenure-track position.

Part-time faculty must meet applicable accreditation criteria.

Former tenured, full-time Stephen F. Austin State University faculty members appointed to part-time positions will hold their previous academic rank (instructor, assistant professor, associate professor, or professor) with the designation part-time. Part-time faculty members may be appointed for no more than one academic year at a time.

The salary of part-time faculty members will be negotiated with each appointment, subject to the approval of the college dean and the provost and vice president for academic affairs.

Part-time faculty members will perform assigned duties and maintain office hours commensurate with the assignment. Part-time faculty may not serve on search, tenure, promotion, or merit pay committees.

**Cross Reference:** Faculty Compensation (12.6)

**Responsible for Implementation:** Provost and Vice President for Academic Affairs

**Contact for Revision:** Provost and Vice President for Academic Affairs

**Forms:** Faculty Credential Form

**Board Committee Assignment:** Academic and Student Affairs
POLICY SUMMARY FORM

Policy Name: Procurement Card

Policy Number: 17.11

Is this policy new, being reviewed/revised, or deleted?  Review/Revise

Date of last revision, if applicable: 4/18/2020

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): This policy establishes guidelines for university purchases using a procurement card (p-card) and related requirements and activities.

Reason for the addition, revision, or deletion (check all that apply):

☑ Scheduled Review  ☑ Change in law  ☑ Response to audit finding

☐ Internal Review  ☑ Other, please explain: Revise training requirements

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for each substantive revision: N/A

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Danny Gallant, Vice President for Finance and Administration
Damon Derrick, General Counsel
Appendix 2

Procurement Card

Original Implementation: July 26, 1999
Last Revision: April 18, 2020 July 21, 2020

Purpose

This policy establishes guidelines for university purchases using a procurement card (p-card) and related requirements and activities.

Definition

Procurement Cards (p-cards) will be issued in the name of the employee with the state of Texas seal and the wording 'For Official Use Only' clearly indicated on the card. The p-card is to be used for official university business purposes only and may not be used for any personal transactions.

General

Approved university employees may use the university procurement card (p-card) in accordance with the P-Card Program Guide to order supplies and small items in amounts not exceeding per transaction and monthly limits. The director of procurement, the procurement card coordinator and procurement department purchasers may purchase on behalf of the university any item of any amount using a procurement card if they have determined payment by p-card represents the best value to the university and all procurement policies and rules have been followed.

The terms and conditions of the MasterCard procurement card contract were specified and awarded by the Texas Comptroller of Public Accounts for the state of Texas. In addition to internal policies and procedures, Stephen F. Austin State University will comply with the terms and conditions of the state contract.

Responsibilities

The cardholder is responsible and accountable for the security and documentation associated with the use of the SFA procurement card and for complying with all policies and procedures related to the p-card program. Documentation shall include providing transaction detail information for each transaction through the university’s financial system and keeping documentation of all transactions including returns, credits and disputed charges as required in the P-card Program Guide, and for uploading p-card transaction records monthly into the university’s electronic records portal.

The department head or his/her designee is responsible for designating departmental cardholders and their spending limits; determining yearly encumbrance amounts for each fund/org against which credit card charges will be made; and approving monthly reconciliations of p-card cardholder statements and supporting documentation to ensure purchases are within SFA policies and procedures, and departmental budgets. Department heads are responsible for ensuring that all employees issued a card understand the departmental budget constraints under which they are to use the card.

17.11 Procurement Card
The procurement office is responsible for maintaining complete and accurate information regarding p-card users and associated spending limits, establishing and updating restricted merchant category codes, determining compliance with university policies and procedures through periodic cardholder audits, cardholder training, monitoring p-card activity, and other duties related to p-card administration. Cardholder limits will be compared to actual expenditures and adjustments will be made as needed by the p-card coordinator in order to limit the university’s risk of liability and exposure.

**Card Use by another Employee or Student**

The only person authorized to use the p-card is the cardholder whose name appears on the card. The cardholder may not allow another university employee or a student to use their card unless the cardholder and department head have completed a P-Card Use form and filed it with the p-card coordinator in the procurement office. Refer to the P-Card Program Guide for detailed information on allowing another employee or student to use a card, as specific rules apply.

**Training and Issuing Cards**

All department heads will be required to attend training and sign the P-Card Application Form before any cards will be issued to employees within the department. All employees will be required to attend training and sign a Cardholder Agreement before being issued a card. All cardholders will be required to complete refresher training either in person or on-line with testing every two years. Acceptable grades and actions associated with not meeting grade requirements are outlined in the P-Card Program Guide.

**Making a Purchase with the P-Card**

Refer to the P-Card Program Guide for detailed information related to making a purchase with the p-card. The director of procurement, the procurement card coordinator and procurement department purchasers are not subject to the P-Card Program Guide, but rather to university policies and procedures relating to purchases.

**Monthly Card Reconciliation**

The transaction detail entries are required and provide an accounting and audit trail for expenditures made with the p-card. Each individual purchase must be detailed in the university’s financial system. See the P-Card Detail Training Manual for detailed instructions on completing the transaction detail entries on-line through the university’s financial system.

Upon receipt of the monthly statement from the credit card vendor, the cardholder shall reconcile the statement with the Transaction Detail Summary and forward the reconciled statement, Transaction Detail Summary and all supporting documentation to the department head for review and signature. If the department head is the cardholder, the department head must sign as the cardholder, and another employee within the department must sign as the reviewer. The department head or reviewer is responsible to review all transactions listed on the Transaction Detail Summary.
to verify that all purchases are appropriate expenditures for the department and fund/org charged. If the department head/reviewer questions any transaction, they should bring it to the attention of the department head or p-card coordinator, or it may be reported anonymously through the university’s fraud and ethics reporting process. Reported transactions will be audited and appropriate action taken as specified herein and in the P-Card Program Guide.

P-card transaction records, as identified in the P-Card Program Guide, are to be uploaded in the university’s p-card records portal each month, and will be retained according to the Texas Records Retention Schedule. These are the official university records. Reference the P-Card Program Guide and P-Card Records Portal instructional guide for procedures and detailed instructions. Paper records retained by departments should be kept for three (3) years plus the current fiscal year to comply with the state of Texas Records Retention Schedule. The records for procurement card purchases will be required for periodic audits by the procurement office or when SFA is audited by the Texas Procurement and Support Services Division of the Texas Comptroller’s Office, the Texas State Auditor, SFA controller or Department of Audit Services.

Card Termination

Certain p-card rule violations will result in immediate deactivation or cancellation of all of a cardholder’s cards. Other violations will be tracked based on demerits accumulated by the cardholder. Each month, demerits accumulated over the previous 6-month period will be reviewed and appropriate action taken. Demerits will not carry over from one 6-month period to another. Note the reasons for cancellation or deactivation of cards should not be considered all inclusive. Demerits may be identified during any transaction review, research, or audit by either the p-card coordinator or the Department of Audit Services.

Occasionally, exceptions to the p-card rules may be approved by the p-card coordinator prior to the transaction taking place. If so approved, the cardholder and p-card coordinator will have a P-Card Exception Approval Form on file with the transaction, and the card cancellation, deactivation, or demerits will be waived.

1. **Immediate Card Cancellation with No Option to ever Receive Another Card** - When there is intentional abuse or fraud of a p-card to make personal purchases, the p-card is used to secure a cash advance, or a second p-card is lost or stolen within three years after the first lost or stolen card, all of the cardholder’s cards will be cancelled with no option to ever receive another card.

2. **Immediate deactivation** – If all transactions on the cardholder’s p-card statement have not been detailed in Banner by the required deadlines as outlined in the P-Card Program Guide, their p-card will be deactivated until all transactions have been detailed in Banner to the satisfaction of the p-card coordinator. When a cardholder commits the following violations, all of the cardholder’s cards will be deactivated for a period of three months: a) transaction details are not posted by the required date for three consecutive months or three months during a six-month period; b) second offense of splitting purchases to avoid purchasing procedures; c) failure to provide documentation within the requested timeframe for a p-card audit. Cards will only be reactivated after three months and after the cardholder
attends an instructor-led training.

3. **Demerit Accumulation** - Demerits will accumulate against each cardholder when various violations are identified (see Demerit Schedule in the P-Card Program Guide). An accumulation of demerits over a six-month period will result in the following actions:

- **Four demerits accumulated within the first four months of a six-month period** will trigger a need for a full audit of three months of transactions.
- **Six demerits accumulated within a six-month period** will cause all of cardholder’s cards to be de-activated for a minimum of three months. Before any cards are reactivated, the employee will be required to attend an instructor-led training.
- **Ten demerits accumulated within a six-month period** will cause all of cardholder’s cards to be cancelled for a minimum of one year. New cards will be issued only after the one-year waiting period and only upon completion of a new P-Card Application and attendance of an instructor-led training.

4. **Other Card Cancellations and Actions**

    *Non-Use*: If the cardholder has not used the procurement card within one year, the p-card may be cancelled. To receive a new card, the cardholder will be required to submit a P-Card Application and attend training.

    **Termination of University Employment**: When a cardholder terminates employment with the university, the department has specific obligation to reclaim the p-card and return it to the p-card coordinator prior to the employee termination date. A request may be made to the p-card coordinator for the card to be shredded by the department head or his/her designee. The request can be granted at the p-card coordinator’s discretion. Failure to reclaim or dispose of cards as designated may result in the department being responsible for payment of any fraudulent charges and revocation of all department card privileges. Verification of card return will be part of an employee’s exit interview with human resources. Any fraudulent charges made by a terminated employee after the employee’s termination will be reported to the University Police Department. The terminated employee will be expected to reimburse the university.

    **Transfer to a Different University Department**: When a cardholder changes employment from one university department to another, the department has specific obligation to reclaim the p-card and return it to the p-card coordinator prior to the effective date of change. A request may be made to the p-card coordinator for the card to be shredded by the department head or his/her designee. The request can be granted at the p-card coordinator’s discretion. Failure to reclaim or dispose of cards as designated may result in revocation of all department card privileges.

    **Failure to Promptly Report a Lost or Stolen Card**: If a cardholder fails to make a report of a lost or stolen card immediately upon discovery, the cardholder may be required to reimburse the university for any fraudulent charges made on the card until it has been cancelled. The university will pay the charges and the employee will be required to reimburse the university. The cardholder will be subject to a minimum 3-month waiting period before a new card will be issued and will be required to attend an instructor-led training.

    **Failure to Complete the Mandatory Refresher Training**: Any cardholder who fails to complete the mandatory refresher training every two years will have all cards deactivated until the
refresher training is complete. If the refresher training is not completed within six months of card deactivation, all cards will be cancelled, and the employee will be required to submit a P-Card Application/Approval Form and attend an instructor-led training before receiving new cards.

Administrative Authority: The department head or supervising dean, vice president, or president has the authority to request that the p-card coordinator deactivate or cancel an employee's cards at any time for any reason. Any cards so deactivated or cancelled may be reactivated or new cards issued only with approval by the position that originally requested the deactivation or cancellation. Upon the p-card coordinator’s determination or upon the request of the Department of Audit Services or general counsel’s office, the p-card coordinator may deactivate an employee’s card while transactions are being researched, investigated, or an audit is being conducted. At the conclusion of the research, investigation or audit, the cards will be reactivated and/or appropriate action taken as specified herein and in the P-Card Program Guide.


Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Director of Procurement and Property Services/HUB Coordinator

Forms: P-Card Application, Cardholder Procurement Card Agreement, P-Card Use Form, Tax Exempt Letter, P-Card Dispute Form, P-Card Documentation/Problem Resolution Form, P-Card Exception Approval Form

Board Committee Assignment: Finance and Audit
POLICY SUMMARY FORM

Policy Name: Property Inventory and Management

Policy Number: 17.14

Is this policy new, being reviewed/revised, or deleted?  Review/Revise

Date of last revision, if applicable: 4/18/2020

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): This policy affirms that Stephen F. Austin State University will comply with Texas Government Code §403.2715, university policies, and procedures outlined in the property management manual.

Reason for the addition, revision, or deletion (check all that apply):

☐ Scheduled Review  ☐ Change in law  ☐ Response to audit finding

☐ Internal Review  ☑ Other, please explain: Requested revision.

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for each substantive revision: N/A

Specific rationale for deletion of policy: N/A

Additional Comments:

Reviewers:

Danny Gallant, Vice President for Finance and Administration
Damon Derrick, General Counsel
Property Inventory and Management

**Original Implementation:** September 28, 1996  
**Last Revision:** April 18, 2020 July 21, 2020

**Purpose**

This policy affirms that Stephen F. Austin State University will comply with Texas Government Code §403.2715, university policies, and procedures outlined in the property management manual. Property acquired under federal or state grants and contracts will be identified and maintained according to the same guidelines as the university's centralized property management and control described herein, except as otherwise stipulated by the grant.

**Definitions**

**Property** is defined and will be accounted for in accordance with Texas Government Code §403.272. The property manager, in conjunction with the director of procurement, and with appropriate administrative approval may define additional equipment to be tracked in property records. Property can be purchased or donated.

**Salvage property** is any personal property which through use, time, or accident is so depleted, worn out, damaged, consumed, or outdated that it is obsolete and/or can no longer serve the purpose for which it was originally intended.

**Surplus property** is any personal property that is in excess of the needs of the department and which is not required for the foreseeable future. Surplus property may be new or used but must have additional useful life.

**Stolen property** is any personal property that has disappeared by known theft, whether by forced removal, burglary, theft by employee, or other criminal act.

**Missing property** is any personal property that has disappeared with no explanation.

The **equipment manager** for a department is the chair or administrative head of the department.

A **designee** may be named by the equipment manager to receive and submit property communications on his/her behalf. The designee does not assume property responsibility or liability in lieu of the equipment manager but may sign property documents on behalf of the equipment manager with the exception of the Annual Property Inventory Audit Certification form.

The **property custodian** is any individual who is listed on property records as entrusted with the care and safekeeping of specific pieces of property, and is liable for any university property assigned to him/her.

**General**
The president has delegated to the director of procurement and property services and the property manager responsibility for the overall management of university property, maintenance and control of centralized property records, and disposition of surplus and salvage property.

An equipment manager may not delegate their responsibilities and is ultimately liable for any property listed on his/her department property records. The equipment manager is responsible to assign property to the property custodian who uses and/or is entrusted with property on a daily/regular basis. If the equipment manager fails to assign property to a property custodian, the property manager will contact the department and assign custodial responsibility to the employee who uses and/or is entrusted with property on a daily/regular basis. The equipment manager is responsible to notify the property manager of any donations to determine if the property must be added to property records.

The property custodian is responsible for locating all equipment for which he/she is responsible during the annual property audit, spot-check audit, or audits by audit services or state auditors. All employees and/or property custodians are required to sign the property liability acknowledgement form advising that he/she may be entrusted with university property. The property liability acknowledgement described in Property Liability (16.22) advises the employee that he/she will be held financially responsible for any property determined to be damaged, destroyed, missing, or stolen due to employee negligence, regardless of whether the employee is identified as a property custodian on property records.

**Property Validation**

Each equipment manager and property custodian is to exercise care and control over the property for which he/she is responsible. Property is to be monitored on a perpetual basis both by the property office and by university property custodians.

Once per year a property inventory audit will be conducted in one of two ways: 1) physical count by the department, or 2) bar code scan by the property office. The signed Annual Property Inventory Audit Certification form must be returned to the property manager by the deadline stated in the property inventory instructions. Forms in campus mail will not be considered received.

Departments failing to return the signed Annual Property Inventory Audit Certification form to the property manager by 5:00 p.m. on the deadline date will be given a second deadline and will have all ordering, including p-cards, shut down until the signed form is received in the property manager’s office. Forms in campus mail will not be considered received.

Failure to return the signed Annual Property Inventory Audit Certification form to the property manager by 5:00 p.m. on the second deadline will result in all ordering continuing to be shut down until the signed form is received in the property manager’s office. In addition, department information, including, but not limited to, department name, department head, and property values will be reported to the Board of Regents at the next regularly scheduled meeting. Forms in campus mail will not be considered received.

Spot-check audits will be conducted by property personnel throughout the year except during the
annual property inventory. Transaction information for all additions to each department's property records will be emailed monthly to the equipment manager, along with a request to update location and custodian information.

Equipment managers, property custodians and/or designees are to advise the property office throughout the year of the following changes:

- Equipment Manager - procedures apply to both outgoing and incoming department heads (interim or permanent); information regarding the change must be completed within 30 days of assuming or relinquishing duties.

- Property Custodian - procedures apply any time there is a change in who uses and/or is entrusted with property on a daily/regular basis. The Change in Property Custodian form must be completed within 30 days of the change.

- Property locations should be updated in a timely manner. Property custodians must be able to identify property locations at any point in time.

Departments may be required to write a detailed plan for monitoring and accounting for department property. A template for the plan will be provided by the property manager and can be found on the Procurement and Property Services website.

**Use of State Property**

In accordance with Texas Government Code §2203.004, university property may be used only for state/university purposes. University property in the custody of any Stephen F. Austin State University property custodian may not be loaned, sold, traded, thrown away, cannibalized, or disposed of in any manner without the prior authorization of the property manager.

University property may be taken off campus only for official business of the university or another state agency. The individual taking equipment off campus assumes financial responsibility and must complete a Removal of Property from Campus form annually.

Items containing potentially sensitive, private, or confidential information are not to be stored in any leased premises unless specifically authorized in writing by the president. These items include but are not limited to computers, electronic or digital storage devices, and paper documents. Certain off-campus facilities may lack the security necessary to protect such sensitive information. University property may be loaned to another state agency or institution of higher education. The president must approve the loan of the property in writing and receipt of the property must be acknowledged in writing by the head of the borrowing agency.

**Training**

Mandatory training is required for all employees within 60 days of employment. Additionally if a property custodian is not an employee, training will also be required. After initial training, refresher training is required every two (2) years. All training is documented in the university’s myTraining
Failure to complete training within 30 days of notification (equipment manager, designee, or property custodian) will result in having the individual’s p-card inactivated. Failure to complete training within 60 days of notification will result in all ordering for the department, including p-cards, being shut down until the employee completes training. Reference Major Rule Violations in Discipline and Discharge (11.4).

The property manager may extend the training timeframes for employees and/or property custodians on FMLA leave, out of the country, or as otherwise deemed appropriate and approved by the director of procurement and property services/HUB coordinator.

Salvage and Surplus Property

Salvage property may be discarded or retained for cannibalization of parts, but should be identified for deletion from property records with appropriate documentation and property manager approval. Data processing equipment can never be declared salvage.

Surplus property may be traded in, transferred to another department or transferred to surplus with appropriate documentation.

Property Disposal

University property is to be disposed of as described in the property management manual, with the exception that disposition of property acquired through federal or state grants and contracts must respect the terms of the grant or contract under which it was acquired. The property manager will determine the disposal option that complies with Texas Government Code §2175.304 and § 2175.905 and best meets the needs of the university.

All property sales, including scrap metal, are to be overseen by the property office. All sale proceeds will be deposited to the surplus sales account, unless otherwise approved by the vice president for finance and administration.

Where possible hard drives (“loose”, internal or external), memory cards from printers or scanners, or copiers must have all data removed before final disposal of the property. Memory cards from printers or scanners will be destroyed by the property office. Hard drives will be degaussed, destroyed, or overwritten and the disposal will be documented. Procurement will work with departments to document that data stored on copiers is removed before a copier leaves the campus.

Stolen or Missing Property

Stolen or missing property must be reported immediately to the property manager. A missing or stolen property report must be completed within 24 hours of reporting the missing or stolen property. The property office will make a determination of negligence on the part of the equipment manager and/or property custodian, or any other employee; see Property Liability (16.22). Failure
to report stolen property to the property manager and/or university police immediately may result in a determination of negligence.

Fines and other requirements will be imposed for missing property.

The department will be fined as follows:
- $1,000 – for two items with an original purchase cost of $500 or more each, reported missing in the same fiscal year;
- $2,500 – for three to five items with any original purchase cost reported missing in the same fiscal year;
- $5,000 – for more than five items with any original purchase cost reported missing in the same fiscal year;
- in the following fiscal year if additional property is reported missing the above fines will double
- if missing property is found within 30 days of the fine being assessed, the original purchase cost of the equipment will be refunded up to a maximum of $500 per item, but never exceeding the amount of the original fine.

Within 60 days of notification of a fine, responsible individuals identified by the property office will be required to complete a property training refresher course. The individuals identified for the refresher course may include equipment manager, designee, property custodian, or any other employee. Failure to complete the training within 60 days of notification will result in all ordering (requisition and p-card) being shut down for the entire department until the training is completed by all identified employees. Extensions of the 60 day limit may be made by the property manager as deemed appropriate and approved by the director of procurement and property services.

Within 60 days of notification of a fine, the equipment manager will be required to prepare a detailed department property control plan using the template provided by the property office. Failure to complete the plan within 60 days of notification will result in all ordering (requisition and p-card) being shut down for the entire department until the plan is received.

Any appropriations withheld from the university because it has exceeded the allowed value threshold of missing property, as defined in the General Appropriations Act, will be deducted from the budget of the department responsible for the property.

**Individual Employee Negligence**

In accordance with Texas Government Code § 403.275 all university employees are liable for the State of Texas property that they use. A determination of negligence will result in one or more employees being held liable to replace property or reimburse the university for the determined value of property. See Property Liability (16.22) and the property management manual for definitions and requirements associated with negligence.

**Cross Reference:** Tex. Gov’t Code §§ 403.2715, 403.272, 403.273(h), 403.275; Tex. Gov’t Code
§ 2054.003(3)(A); Tex. Gov’t Code §§ 2175.304, .905, .908; Tex. Gov’t Code § 2203.004; Department of Information Resources Security Control Standards Catalog; Property Liability (16.22); Discipline and Discharge (11.4); State Comptroller eXpendit

**Responsible for Implementation:** Vice President for Finance and Administration

**Contact for Revision:** Director of Procurement and Property Services/HUB Coordinator

**Forms:** Annual Property Inventory Audit Certification (provided by the Property Office), Certification of Physical Inventory with Change In Equipment Manager (Department Head), Department Property Control Plan Template, Missing, Damaged or Stolen Property Report, Police Report (provided from University Police Department), Change in Property Custodian, Property Liability Acknowledgement (HR), Property Transfer Form – Department to Department, Property Transfer Form – Department to Surplus, Removal of Property from Campus Request, Salvage Property Request

**Board Committee Assignment:** Finance and Audit
Policy Name: Public Student Health

Policy Number: 13.16

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 4/25/2017

Unit(s) Responsible for Policy Implementation: Vice President for University Affairs

Purpose of Policy (what does it do): Outlines university's approach to dealing with public health issues.

Reason for the addition, revision, or deletion (check all that apply):
- [x] Scheduled Review
- [ ] Change in law
- [ ] Response to audit finding
- [ ] Internal Review
- [ ] Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: Added section relative to policy changes needed to address public health matters when required.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Steve Westbrook, Vice President for University Affairs
Damon Derrick, General Counsel
Public and Student Health

Original Implementation: February 29, 1988
Last Revision: July 25, 2021

Stephen F. Austin State University recognizes an obligation to promote public health on campus by taking action to protecting students, faculty, and staff from the spread of contagious and infectious diseases. An effective and responsible approach to safeguarding public health on campus requires that legitimate concerns about the potential for transmission of diseases in university settings neither be sensationalized nor minimized, but that university officials work closely with other interested parties to establish policies and procedures that inhibit the likelihood of contagion while promoting an educational environment characterized by safety, continuity, and calm.

When circumstances arise that require review, the vice president for university affairs will convene a Public/Student Health Committee, consisting of appropriate faculty and staff members. This committee will assist the vice president in coordinating the university’s efforts to fulfill its responsibility concerning public health. In carrying out its tasks, the committee shall follow review the guidelines of recognized authorities including the National Centers for Disease Control, the United States Public Health Service, and the Texas Department of Health Services, and the American College Health Association.

Based on the severity of the public health issue being addressed, the Public Health Committee may make recommendations to the president that certain policies be initiated, suspended or modified on an emergency basis as needed. Further, the committee shall conform its actions to the Texas Communicable Disease Prevention and Control Act and other law.

In the event of public inquiry concerning university policy on public health or health-related matters at SFA, the executive director of university marketing communications, or their designee, will serve as the official spokesperson for the university. Medical records of individuals shall remain confidential, but public information shall will be disclosed upon request in accordance with the Texas Public Information Act and the Family Educational Rights and Privacy Act. Requests for such information should be referred to the university's general counsel.

If a public health issue arises that could involve the continuity of business and academic functions of the university, other ad hoc committees may be impaneled as needed to address those particular issues.


Responsible for Implementation: Vice President for University Affairs

Contact for Revision: Vice President for University Affairs
**Forms:** None

**Board Committee Assignment:** Academic and Student Affairs
Policy Name: Records Management

Policy Number: 2.9

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: January 31, 2017

Unit(s) Responsible for Policy Implementation: Provost and Vice President for Academic Affairs

Purpose of Policy (what does it do): Guidelines for management of university records

Reason for the addition, revision, or deletion (check all that apply):
- [x] Scheduled Review
- [ ] Change in law
- [ ] Response to audit finding
- [ ] Internal Review
- [ ] Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: Updates to be in compliance with state guidelines. Minor editing corrections.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Academic Policy Committee
Steve Bullard, Provost and Vice President for Academic Affairs
Damon Derrick, General Counsel


Records Management

**Original Implementation:** February, 1975  
**Last Revisions:** January 31, 2017 July 21, 2020

The university adheres to state regulations for the management of its records. All university records, regardless of medium (including print or electronic), created or received in connection with the normal course of business are considered state records. Extra copies maintained only for reference only are not subject to the university records retention schedule. The retention schedule lists the university’s records series and identifies legal, audit, archival and/or retention requirements. Statutory confidentiality requirements must be maintained.

Certain inactive records are retained to meet legal and fiscal requirements, future administrative needs, or historical significance.

Unit heads must manage university records according to the following guidelines:

1. University records are the property of the university.
2. University records must not be destroyed without the approval of the unit head in accordance with the retention schedule.
3. The Records Management Division of the Texas State Library and Archives Commission must approve the destruction of any record not listed in the retention schedule.
4. A record may be destroyed prior to its retention period on the retention schedule only with the special consent of the Records Management Division of the Texas State Library and Archives Commission and, if the record possesses fiscal or financial value, with the concurrent consent of the State Auditor.
5. Records with archival value listed on the retention schedule must be transferred to the East Texas Research Center. For records determined to have archival value, but not listed as such on the schedule, contact the university records management officer.
6. Administrative officers will consult with the general counsel on any question of compliance with the Texas Public Information Act.
7. SFA’s Records Management Program is overseen by the East Texas Research Center located in the R.W. Steen Library.
8. Each administrative office will designate an individual as the records management coordinator for their office and provide this person’s contact information to the university records manager. Each office’s records management coordinator will consult with the university records manager regarding implementation of the records management program to include the following:
   
   - A. Evaluate and inventory files records at least once a year to ensure that records are retained in accordance with the SFA records retention schedule.

   - B. Dispose of obsolete records with no archival value according to the retention
schedule.

B. Obtain permission from the state to dispose of records not listed on the retention schedule.

C. List all records on the SFA approved Records Disposition Log before destruction and forward the log to the university records manager.

Cross Reference: Tex. Gov’t Code §§ 441.180-.205; 13 Tex. Admin. Code Ch. 6

Responsible for Implementation: President

Contact for Revision: SFA Records Management Officer; General Counsel

Forms: Records Inventory Worksheet (RMD 103); Records Disposition Log; Request to Dispose of Records not listed in Records Retention Schedule (RMD 102); and Records Retention Schedule (SLR 105)

Board Committee Assignment: Academic and Student Affairs
POLICY SUMMARY FORM

Policy Name: Reduction in Force of Non-Faculty Employees

Policy Number: 11.23

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 10/29/2018

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): Outline the process for implementing a reduction in workforce.

Reason for the addition, revision, or deletion (check all that apply):

☑ Scheduled Review   ☑ Change in law   ☑ Response to audit finding

☐ Internal Review    ☐ Other, please explain: Policy enhancement and clarification.

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: Change name to "Reduction in Force of Staff and Non-Tenure Track Employees". Update definition of RIF. Expand the authority to determine when a RIF is necessary to president, vice presidents or designee. Clarify steps of implementation.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Danny Gallant, Vice President for Finance and Administration
Damon Derrick, General Counsel
Reduction in Force of Staff and Non-Academic-Tenure Track Employees

Original Implementation: July 28, 1986
Last Revision: October 29, 2018
July 21, 2020

Purpose

This policy establishes a process for effecting a reduction in force of staff and non-academic faculty employees. This policy applies to all staff positions and non-tenure track employees (as defined by policy 7.2, Academic Appointments and Titles) appointments. This policy does not apply to the modification to or the elimination of positions due to changes in funding of a grant or contract; such positions are subject to policy 11.2, At-Will Employment.

Definitions

A reduction in force (RIF) is defined as any action that results in loss of employment or reduction in percent of effort a layoff of a segment of the work force due to re-prioritization a lack of work, reorganization of work, elimination or lack of work, changes in technology or research needs, budgetary needs, legislative enactments, or other business reasons factors that require some manner in reduction in the university’s investment in staff or non-tenure track employees. Terminated positions are presumed to have no likelihood or expectation to be reinstated. reduction in funding, or reorganization. It is an involuntary termination of employment not involving delinquency or misconduct.

General

Stephen F. Austin State University (SFA) administration strives to provide a stable environment in which to work, but may occasionally be required to eliminate positions due to anticipated decrease in funding or other financial reasons, a lack of work, reorganization, or changes in needs or technologies. Decisions to implement a reduction in force may originate with the president, vice president, or designee. This policy establishes a process for the reduction of staff and non-tenure track appointments (as defined by policy 7.2, Academic Appointments and Titles) faculty, regular full-time and part-time, positions in these situations. This policy does not apply to temporary employees or students employed in positions which require student status as a condition of employment. The president of the university may implement a reduction in force in order to meet operating expenses and maintain sound reserves without diminishing capital or generating unwise or impermissible indebtedness.

The provisions of this policy are not to be used to dismiss an employee if the sole cause for dismissal is either misconduct or lack of satisfactory performance. Refer to SFA policy 11.4 Discipline and Discharge.

RIF decisions will be made without regard to the employee’s race, color, religion, national origin, sex,
sexual orientation, gender identity, gender expression, age, disability, genetic information, citizenship, or veteran status. An individual entitled to a veteran’s and/or former foster child’s employment preference in hiring under Texas Government Code, Chapters 657 and 672, is also entitled to a preference in retaining employment if a reduction in force occurs. However, this preference applies only to the extent that a reduction in workforce involves other employees of a similar type or classification.

The president will have final approval on all RIF actions. Authority may be designated to the appropriate vice president to approve the RIF actions.

Prior to the implementation, the president shall consult with the vice presidents and other administrators of the president’s choice. The consultation shall include a discussion of:

- anticipated income and expenditures;
- retrenchment measures which have been taken;
- reasonable alternatives to reduction in force; and
- other matters the president deems appropriate.

Regular, full-time employees will be given preference for retention over probationary, part-time or temporary employees. Length of service with the university, ability to perform the remaining work in the affected department, and critical skills required for the remaining work shall be weighed equally in selecting employees for layoff. The university will make every effort to place potentially affected employees in vacant positions for which they qualify. Employees who are laid off as a result of a reduction in force will be given priority consideration for vacant positions for which they qualify. If there are no suitable job openings at the university, human resources will provide reasonable assistance to affected employees in finding positions outside the university.

Methodology

A director or other administrator who is instructed by the president to accomplish a reduction in force will prepare a work force profile on all employees in the affected department or program. The president, vice president, or designee will determine when a reduction in force is needed. When such determination has been made, the following steps will be taken to implement the RIFs:

1) A written analysis will be performed to determine which areas, units, activities, programs or organizations (collectively, “affected areas”) reductions must will be affected. If an entire unit, activity, program, or organization activity is to be eliminated or subject to a reduction in percent of effort, steps 2 and 3 are not applicable. This analysis should identify the need for implementing the RIF in the affected areas.

2) Within the affected area, the job functions that will need to be performed after the reductions will be identified; current business conditions and future needs should be included.

3) Current employees will be carefully evaluated as to their qualifications and ability to perform...
the job functions determined in step 2. -The evaluation of a current employee’s qualifications and ability to perform the job functions should include, for example, factors such as total relevant experience including specialized training, previous performance evaluations including recognition and documented disciplinary history, and length of service with the university.

4) After the job functions and the individual employees have been evaluated, the determination of which employees will be subject to the RIF will be made. -A report of all recommended actions resulting in a RIF will be compiled. This report should describe why particular positions recommended for elimination were selected and why individual employees in the affected area are recommended to be retained or subject to the RIF, using the evaluation conducted in Step 3.

5) The analysis and resulting report, including documentation used in the evaluation process, will be submitted to the university’s human resources department for review. -Once reviewed and approved by the human resources department, the proposed RIF must be submitted to the general counsel for review and approval as to legal sufficiency, and the appropriate vice president and, president or their designee for final approval.

6) Once the RIF is approved, the department head or equivalent administrative head will notify affected employee(s) of RIF actions in writing. -Unless otherwise approved in writing by the university’s human resources department, such notice will be provided at least sixty (60) days prior to the effective date of the reduction in force RIF. -The written notice of separation or reduction in percent effort shall include an explanation of the reasons for the RIF, and explanation of why an employee’s position is to be eliminated subject to the RIF or why a particular employee has been selected for separation a RIF, and an explanation of the employee’s appeal rights.

7) An employee who has been notified of reduction in force may be removed from the worksite, with pay, immediately upon receipt of the notice of RIF, with the approval of the department of human resources. Any such employee will be given, in writing, a work assignment to be completed away from the worksite.

 Appeal

Each employee who is laid off as a result of a reduction in force subject to a RIF may appeal the decision in accordance with the procedure for category I grievances under the Grievance and Appeals (11.15) policy. The appeal shall begin at step three. The burden of proof is on the employee, and the scope of the review is limited to the opportunity for the employee to establish that the layoff RIF was made on a constitutionally impermissible or unlawful basis or an arbitrary or capricious basis, or that this policy was substantially violated.

Placement Efforts

If advance notice of the RIF is provided, employees designated for separation or reduction in effort will be given reasonable time off to interview for other jobs prior to the RIF effective date. -Every reasonable effort will be made by human resources offices the department of human resources
Reduction in Force of Non-Faculty Employees

The human resources department will maintain a list of individuals who have been separated under the RIF policy.

If an employee is offered other employment within the university in a comparable position for which the employee is qualified, and such offer is refused, the employee will be deemed to have waived all rights under this policy.

Reinstatement, Rehire, or Reemployment

If a position is re-established within six (6) months of being eliminated, the reduction in force, the university will send a notice of recall to each employee affected by the elimination of the position. The individual has the right to reinstatement into that position, barring circumstances occurring in the interim that would either render the individual unable to perform the essential functions of the position or that would have resulted in their ineligibility for or separation from employment. When determining the order of recall of affected employees, the department head should review the evaluation of the former employee’s qualifications and ability to perform the job functions, including factors such as total relevant experience including specialized training, previous performance evaluations, including recognition and disciplinary history, and length of service with the university.

Notice of recall will be mailed to an employee’s last reported address as shown in official personnel records. It is the obligation of the employee to ensure that such records are correct. A reasonable period of time not to exceed seven (7) calendar days will be allowed for the affected employee to reply.

The right to recall shall cease six (6) months after layoff/separation. An employee on layoff/separated from the university who rejects a recall or job offer for a position for which he/she qualifies shall forfeit further rights to recall.

Reinstated employees will be paid within the salary range for the position at the time of reinstatement.

The workforce profile shall indicate the number of positions to be abolished, discontinued or vacated, and the names, job titles, length of service and classification (temporary, probationary, or full-time, regular) of the affected employees. The director or other administrator shall list the employees recommended for separation on a reduction-in-force roster and forward the roster and the
work force profile through the appropriate vice president to the director of human resources.

The director of human resources shall review and certify that the reduction-in-force roster complies with the provisions of this policy. After certification, every affected department’s roster shall be sent to the president for final approval.

Upon approval by the president, the director or other administrator of the department will meet with each affected employee, review the reason for the reduction in force, provide the employee with written notification of separation and refer the employee to human resources. Whenever possible, a written notification should be given at least sixty (60) days prior to the effective date of the reduction in force.

Each affected employee will either submit an updated resume or complete a new online application as directed by human resources. Human resources will review the resume or application prior to interviewing the employee. If there are suitable openings with the university, the employee will be referred to those job vacancies for which the employee is qualified.

If there are no suitable openings, the university may replace an employee in one department with an employee who has more seniority in the same or other department. The university may exercise this option in cases where both employees are in the same or similar job classification—according to the university’s validated job descriptions, or the employee will be provided with placement assistance for positions outside the university. The affected employee who is transferred under this option shall receive the compensation budgeted for the position to which the employee has been transferred.

Human resources will provide each affected employee with information regarding unemployment benefits from the Texas Workforce Commission and other available assistance. Employees who are laid off as a result of a reduction in force will be recalled to the next available position for which they qualify. The right to recall shall be granted on a priority basis. Length of service with the university, ability to perform the work in the affected department and critical skills required for the work shall be weighed equally in selecting employees for recall.

A notice of recall shall be sent to affected employees at the last known address according to university records. A reasonable period of time not to exceed seven (7) days will be allowed for the affected employee to reply. The university may grant written extension when there are extenuating circumstances.
The right to recall shall cease six (6) months after layoff. An employee on layoff from the university who rejects a recall or job offer for a position for which he/she qualifies shall forfeit further rights to recall.

Each employee who is laid off as a result of a reduction in force may appeal the decision in accordance with the procedure for category I grievances under the Grievance and Appeals policy. The appeal shall begin at step three. The burden of proof is on the employee, and the scope of the review is limited to the opportunity for the employee to establish that the layoff was made on a constitutionally impermissible or unlawful basis or an arbitrary or capricious basis, or that this policy was substantially violated.

Cross Reference: Worker Adjustment and Retraining Notification Act (29 U.S.C. 2101, et seq.); Tex. Gov’t Code §§ 657.007, 672.004; Financial Exigency (3.15); Discontinuance of Program or Academic Unit (5.9); Academic Appointments and Titles (7.2); Grievance and Appeals (11.15).

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Director of Human Resources

Forms: None

Board Committee Assignment: Academic and Student Affairs
Policy Name: Sex and Gender-Based Discrimination, Violence, Harassment, and Misconduct

Policy Number: 2.13

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 7/23/2019

Unit(s) Responsible for Policy Implementation: President

Purpose of Policy (what does it do): This policy prescribes the university's commitment to Title IX and its implementing regulations; details the procedure for investigating and adjudicating a Title IX complaint

Reason for the addition, revision, or deletion (check all that apply):

[ ] Scheduled Review    [x] Change in law    [ ] Response to audit finding

[ ] Internal Review    [ ] Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: This is a complete re-write of the policy, necessary to comply with the new federal regulations implementing Title IX.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Damon Derrick, General Counsel
Sex and Gender-Based Discrimination, Violence, Harassment, and Misconduct: Title IX

Original Implementation: July 27, 2015
Last Revision: July 23, 2019 July 21, 2020

I. Policy Statement

A. Statement of Nondiscrimination

Stephen F. Austin State University (the “University”) is committed to providing an educational and employment environment free of unlawful sex discrimination. Consistent with Stephen F. Austin State University’s Non-Discrimination Notice and the U.S. Department of Education’s implementing regulations for Title IX of the Education Amendments of 1972 (“Title IX”), the University prohibits Sexual Harassment that occurs within its Education Programs and Activities.

As further defined below, for purposes of this Policy, Sexual Harassment includes Quid Pro Quo Sexual Harassment, Hostile Environment Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, and Stalking.

Administrators, faculty members, staff, students, contractors, guests, and other members of the University community who commit Sexual Harassment are subject to the full range of University discipline.

II. Scope

This Policy applies to Sexual Harassment, as defined below, that occurs within the University’s Education Programs and Activities and that is committed by an administrator, faculty member, staff, student, contractor, guest, or other member of the University Community.

III. Definitions

A. “Sexual Harassment” for purposes of this Policy is conduct on the basis of sex that constitutes Quid Pro Quo Sexual Harassment, Hostile Environment Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, or Stalking.

B. “Quid Pro Quo Sexual Harassment” occurs when an employee or student of the University conditions the provision of aid, benefit, or service of the University on an individual’s participation in unwelcome sexual contact.

C. “Hostile Environment Sexual Harassment” is unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person access to the University’s education programs and activities.
D. “Sexual Assault” includes the sex offenses of Rape, Sodomy, Sexual Assault with an Object, Fondling, Incest, and Statutory Rape.¹

1. “Rape” is the carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity. There is “carnal knowledge” if there is the slightest penetration of the vagina or penis by the sexual organ of the other person. Attempted Rape is included.

2. “Sodomy” is oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

3. “Sexual Assault with an Object” is using an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity. An “object” or “instrument” is anything used by the offender other than the offender’s genitalia.

4. “Fondling” is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

5. “Incest” is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by Texas law.

6. “Statutory Rape” is sexual intercourse with a person who is under the statutory age of consent as defined by Texas law.

E. “Domestic (Family) Violence” is felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws.

¹ The University’s definition of “Sexual Assault” is mandated by federal regulations implementing Title IX of the Education Amendments of 1972. Those regulations require the University to adopt a definition of “Sexual Assault” that incorporates various forcible and non-forcible sex crimes as defined by the FBI’s Uniform Crime Reporting System. See 34 C.F.R. § 106.30(a). When applicable, we have included the state law definition. In any criminal action brought by law enforcement, the state law definition will apply.
of Texas\textsuperscript{2}, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of Texas.

F. "Dating Violence\textsuperscript{3} is violence committed by a person:

1. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and

2. Where the existence of such a relationship will be determined based on a consideration of the following factors:

- The length of the relationship;
- The type of relationship; and
- The frequency of interaction between the persons involved in the relationship.

G. "Stalking\textsuperscript{3} is engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for their safety or the safety of others; or
- Suffer substantial emotional distress.

For the purposes of this definition—

1. Course of Conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action,

\textsuperscript{2} Family Violence is defined by the Texas Family Code Section 71.004 as:

(1) an act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or Sexual Assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault, or Sexual Assault, but does not include defensive measures to protect oneself;

(2) abuse, as that term is defined by Sections 261.001(1)(C), (E), and (G), by a member of a family or household toward a child of the family or household; or

(3) Dating violence, as that term is defined by Section 71.0021.

\textsuperscript{3} Dating violence is defined by the Family Code, Section 71.0021 as:

(a) an act, other than a defensive measure to protect oneself, by an actor that:

(1) is committed against a victim:

(A) with whom the actor has or has had a dating relationship; or

(B) because of the victim's marriage to or dating relationship with an individual with whom the actor is or has been in a dating relationship or marriage; and

(2) is intended to result in physical harm, bodily injury, assault, or Sexual Assault or that is a threat that reasonably places the victim in fear of imminent physical harm, bodily injury, assault, or Sexual Assault.

(b) For purposes of this title, "dating relationship" means a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on consideration of:

(1) the length of the relationship;

(2) the nature of the relationship; and

(3) the frequency and type of interaction between the persons involved in the relationship.

(c) A casual acquaintance or ordinary fraternization in a business or social context does not constitute a "dating relationship" under Subsection (b).
method, device, or means, follows, monitors, observes, surveils, or communicates to or about a person threatens, that a reasonable person would regard as threatening bodily injury or death of that person, their family members including someone with whom the person is dating or interferes with that person’s property.

2. **Reasonable Person** means a person under similar circumstances and with similar identities to the person subjected to the stalking behavior would fear for their safety or the safety of others, or suffer substantial emotional distress.

3. **Substantial Emotional Distress:** Significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

H. “**Consent**” is a voluntary, ongoing, mutual understanding among all participants that clearly indicates a willingness, through words or clear unambiguous actions, and demonstrates a knowing, intentional agreement to engage in each instance and stage of sexual activity. Knowledge of consent is the responsibility of each person involved in every instance of sexual activity and consent can be withdrawn at any time. A person who is Incapacitated is not capable of giving Consent.

The following list provides examples of when Consent has not been obtained or is not effective:

- Consent is not effective when any participant in the sexual activity is unsure if a knowing, intentional, voluntary agreement to engage in each act of sexual activity has been demonstrated.
- Consent is not effective if one person knew or reasonably should have known that another person involved was incapacitated.
- Consent to one act does not imply consent to another; past consent does not imply future consent.
- Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another.
- Any expression of an unwillingness to engage in any instance of sexual activity establishes a presumptive lack of consent.
- Consent is not effective if it results from: (a) the use of physical force, (b) a threat of physical force, (c) Intimidation,4 (d) Coercion, (e) Incapacitation or (f) any other factor that would eliminate an individual’s ability to exercise their own free will to choose whether or not to have sexual activity.

---

4 *Intimidation* means intentional behavior that would cause a reasonable person to fear injury or harm.
• A current or previous dating or sexual relationship or manner of dress does not, by itself, constitute consent. Even in the context of a relationship, there must be a voluntary, mutually understandable agreement that clearly demonstrates a willingness to engage in each instance of sexual activity.

I. **“Incapacitated”** refers to a state of being that prevents an individual from having the mental ability, emotional stability, or maturity to provide consent at the time the alleged behavior occurs. Incapacitation could result from the use of drugs or alcohol, a person being asleep or unconscious, or because of an intellectual or other disability or medical condition.

Alcohol and drugs can impair judgment and decision-making capacity, including the ability to rationally consider the consequences of one’s actions. The effects of alcohol and drug consumption often occur along a continuum. For example, inhibition to euphoria and memory impairment, and to disorientation and incapacitation. Incapacitation due to alcohol or drug use is a state beyond “mere” intoxication or even being drunk. Indicators of incapacitation may include inability to communicate, lack of control over physical movements, and/or lack of awareness of circumstances. An incapacitated person can also experience a blackout state during which they appear to give consent but do not have conscious awareness or the capacity to consent.

J. **“Coercion”** is the use of pressure and/or other oppressive behavior, including expressed or implied threats of physical harm, or severe and/or pervasive emotional intimidation which places an individual in fear of immediate or future harm or physical injury or causes a person to engage in unwelcome sexual activity. A person’s words or conduct amounts to coercion if they wrongfully limit the other’s ability to freely choose whether or not to engage in sexual activity. Coercion also includes administering a drug, intoxicant, or other substance that impairs the person’s ability to give consent.

K. **“Retaliation”** is intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured by Title IX and its implementing regulations or because an individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. Retaliation is prohibited and is considered a stand-alone policy violation without regard to any finding of responsibility for violation of this policy.

L. **“Complainant”** means the individual(s) who is alleged to have been impacted by a violation of this Policy.  

M. **“Respondent”** means the individual(s) who is alleged to have violated this Policy.

---

5 A Complainant and Respondent are each individually a “Party” and collectively the “Parties” with respect to a Formal Complaint filed under this Policy.
N. “Formal Complaint” means a document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Harassment against a Respondent and requesting that the University investigate the allegation of Sexual Harassment in accordance with this Policy. At the time of filing a Formal Complaint, a Complainant must be participating in or attempting to participate in the University’s education programs and activities. A “document filed by a Complainant” means a document or electronic submission (such as the reporting form) that contains the Complainant’s physical or electronic signature or otherwise indicates that the Complainant is the person filing the Complaint.

O. “Supportive Measures” are non-disciplinary, non-punitive individualized services offered, as appropriate, and reasonably available, and without fee or charge, that are designed to restore or preserve equal access to the University’s Education Programs and Activities without unreasonably burdening another Party, including measures designed to protect the safety of all parties implicated by a report or the University’s education environment, or to deter Sexual Harassment. Supportive measures may include: counseling, extensions of academic or other deadlines, course-related adjustments, modifications to work or class schedules, campus escort services, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of campus, and other similar measures. Supportive Measures may also include mutual restrictions on contact between the parties implicated by a report.

P. “Education Programs and Activities” refers to all the operations of the University, including, but not limited to, in-person and online educational instruction, employment, research activities, extracurricular activities, athletics, residence life, dining services, performances, and community engagement and outreach programs. Additionally, the term applies to all activity that occurs on campus or on other property owned or occupied by the University. It also includes off-campus locations, events, or circumstances over which the University exercises substantial control over the Respondent and the context in which the Sexual Harassment occurs, including Sexual Harassment occurring in any building owned or controlled by a student organization that is officially recognized by the University. It also includes off-campus conduct when the conduct could deny or limit a person’s ability to participate in or benefit from the University’s programs and activities or when the University, in its sole discretion, has an identifiable interest in the off-campus conduct.

IV. Understanding Hostile Environment Sexual Harassment

In determining whether a Hostile Environment exists, the University will consider the totality of circumstances, including factors such as the actual impact the conduct has had on the Complainant; the nature and severity of the conduct at issue; the frequency and duration of the conduct; the relationship between the parties (including accounting for whether one individual has power or authority over the other); the respective ages of the parties; the context in which the conduct occurred; and the number of persons affected. The University will evaluate the totality of circumstances from the perspective of a reasonable person in the Complainant’s position. A person’s adverse subjective
reaction to conduct is not sufficient, in and of itself, to establish the existence of a hostile environment.

The University encourages members of the University Community to report any and all instances of Sexual Harassment, even if they are unsure whether the conduct rises to the level of a policy violation.

Sexual Harassment also includes gender-based harassment, which may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on gender or gender stereotyping, even if those acts do not involve conduct of a sexual nature.

Some specific examples of conduct that may constitute Sexual Harassment if unwelcome include, but are not limited to:

- Unreasonable pressure for a dating, romantic, or intimate relationship or sexual contact;
- Unwelcome kissing, hugging, or massaging;
- Sexual innuendos, jokes, or humor;
- Displaying sexual graffiti, pictures, videos, or posters;
- Using sexually explicit profanity;
- Asking about, or telling about, sexual fantasies, sexual preferences, or sexual activities;
- E-mail and Internet use that violates this policy;
- Leering or staring at someone in a sexual way, such as staring at a person’s breasts or groin;
- Sending sexually explicit emails, text messages, or social media posts;
- Commenting on a person’s dress in a sexual manner;
- Giving unwelcome personal gifts such as lingerie that suggest the desire for a romantic relationship; or
- Insulting, demeaning, or degrading another person based on gender or gender stereotypes.

V. Reporting Sexual Harassment

A. Title IX Coordinator

Any person may report Sexual Harassment to the Title IX Coordinator. Reports may be made in person, by regular mail, telephone, electronic mail, or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report. In-person reports must be made during normal business hours, but reports can be made by regular mail, telephone, or electronic mail at any time, including outside normal business hours, to the following individuals:

Reporting options and online reporting forms can be found at the following website: www.sfasu.edu/lumberjacks-care. In addition, a link to reporting information will be maintained on the university home page.

Contact information for the Title IX Coordinator and Deputy Title IX coordinators is outlined below. This information is subject to change and the most updated contact information for the Title IX coordinator and deputy coordinators can be found at www.sfasu.edu/lumberjacks-care.
B. **Mandatory Reporting Requirement for University Employees**

Under Texas law, all University employees, with the exception of Confidential Employees, who:

1. in the course and scope of their employment\(^6\)

2. witnesses or receives information regarding an incident that the employee reasonably believes constitutes Sexual Harassment, Sexual Assault, Dating Violence, or Stalking, which

3. is alleged to have been committed by or against a person who was a student enrolled at or an employee of the University at the time of the incident

must promptly report within 48 hours the incident to the University’s Title IX Coordinator or a Deputy Title IX Coordinator.

**Writing required.** The University’s online reporting form is the preferred method of communicating incidents promptly, so that a record is made of the time and all factual details disclosed in the initial report. A written memo is also acceptable if it can be delivered to a Coordinator promptly after the employee’s duty to report arises.

**Report Contents.** The employee’s report must include all information concerning the incident known to the employee which is relevant to an investigation under this Policy, including whether the subject of the report has expressed a desire for an institutional response to the incident or made a request for confidentiality in reporting the incident.

**Confidentiality.** Unless waived in writing by the affected individual, the identity of an alleged victim of an incident reported pursuant to this mandatory reporting requirement may be disclosed only to

---

\(^6\) “Course and Scope of Employment” means an employee performing duties in the furtherance of the institution’s interests.

\(^7\) For the purposes of Texas’s mandatory reporting requirement only, “Sexual Harassment” means: means unwelcome, sex-based verbal or physical conduct that (a) in the employment context, unreasonably interferes with a person’s work performance or creates an intimidating, hostile, or offensive work environment; or (b) in the education context, is sufficiently severe, persistent, or pervasive that the conduct interferes with a student’s ability to participate in or benefit from the University’s educational programs or activities.
(a) employees of the University who are necessary to conduct an investigation of the report or any related hearings and (b) a law enforcement officer.

**Exceptions.** The mandatory reporting requirement does not apply to:

1. Individuals who are themselves the victims of the Sexual Harassment, Sexual Assault, Dating Violence, or Stalking incident that is being reported;
2. Instances when an employee receives information about Sexual Harassment, Sexual Assault, Dating Violence, or Stalking at a public awareness event sponsored by the University; or
3. Employees designated as Confidential Employees.

**Consequences of Non-Compliance.** An employee who fails to make a required report will be terminated following an investigation and any required process under the applicable personnel policy.⁸

**Immunity.** An employee who, in good faith reports or assists in the investigation of a report under this Policy, or who testifies or otherwise participates in a disciplinary process or judicial proceeding arising from a report of such an incident, will not be subject to disciplinary action for violations of the administrative policies of Stephen F. Austin State University that are reasonably related to the incident. This immunity does not apply to a person who perpetrates or assists in the perpetration of the incident reported under this policy or who commits a criminal offense pursuant to Texas Education Code § 51.255(a).

**C. Confidential Employees**

The University believes it is critical to provide community members who may be experiencing Sexual Harassment information about available institutional resources to empower those individuals to make informed decisions about their rights and options. Members of the University community may speak to officially designated Confidential Employees⁹ about Sexual Harassment, Sexual Assault, Dating Violence, or Stalking without the conversation triggering a mandatory report of incident details.

The University has designated the following Confidential Resources:

- SFA Counseling Services
  (936) 468-2401 | counseling@sfasu.edu

- SFA Human Services Counseling Clinic

---

⁸ Employees who fail to make a mandatory report under this provision may also be subject to criminal prosecution pursuant to Texas Education Code section 51.255(a).

⁹ Under Texas law, a “Confidential Employee” is an employee (1) designated by the University as a person with whom students may speak confidentially concerning Sexual Harassment, Sexual Assault, Dating Violence, or Stalking or (2) receives information regarding such an incident under circumstances that render the employee’s communications confidential or privileged under other law.
A Confidential Employee is not required to report any information that would violate an individual’s expectation of privacy, such as the name or other identifying information of an individual who has experienced or allegedly engaged in Sexual Harassment.

This provision does not affect any employee’s duty to report incidents of sexual misconduct as required by other law.

D. Reports to Law Enforcement

Victims of a crime have the right to choose whether to report the crime to law enforcement, to be assisted by the University in reporting the crime to law enforcement, or to decline to report the crime to law enforcement. The University encourages anyone who believes they experienced or witnessed a crime to make a report to the Stephen F. Austin State University Police Department (“UPD”), if the assault occurred on campus, or to local law enforcement, for crimes occurring off campus.

Reports of criminal offenses occurring on campus, including but not limited to sexual assault, dating violence, domestic violence, and stalking may also be made to UPD at 936-468-2608 (non-emergency) or 911 (emergency) or to the City of Nacogdoches Police Department 936-559-2607 (non-emergency) or 911 (emergency) or to other local law enforcement authorities. Regardless of where the incident occurred, UPD can assist in making a report to the appropriate law enforcement agency. Individuals are not required to report all criminal violations to law enforcement, but the University strongly encourages reporting criminal violations to the police. The Title IX Coordinator and deputy Title IX coordinators can assist individuals in contacting these law enforcement agencies as well as the confidential resources outlined in Section 6.1 C of this policy. Employees and students with protective or restraining orders relevant to a report are encouraged to provide a copy to the University Police Department.

If a report of a policy violation is made to UPD, officers will advise the complainant or reporting party of their right to file a report under this policy. To the extent allowed by law and university policy, UPD shall also notify the Title IX Coordinator of the report, and provide the Title IX Coordinator, or the individual investigating the reported policy violation, access to any related university law enforcement records, so long as doing so does not compromise any criminal investigation.
E. Medical Treatment and Preservation of Evidence

In cases of sexual assault, and for one’s safety and well-being, immediate medical attention is encouraged to evaluate for physical injury, sexually transmitted diseases, and pregnancy. Being examined as soon as possible, ideally within 120 hours, is important for evidence collection, which may be used to support prosecution should the Complainant decide to pursue criminal charges.

F. Anonymous Reports

Anyone, not designated as a responsible employee, can make an anonymous report by submitting information through the Online Reporting Form found at http://www.sfasu.edu/lumberjacks-care

VI. Preliminary Assessment

Upon receipt of a report, the Title IX Coordinator will conduct a preliminary assessment to determine whether the conduct, as reported, constitutes or could constitute Sexual Harassment.

If the Title IX Coordinator determines that the conduct reported could not fall within the scope of this Policy, and/or could not constitute Sexual Harassment, even if investigated, the Title IX Coordinator will close the matter and may notify the reporting party if doing so is consistent with the Family Educational Rights and Privacy Act (“FERPA”). The Title IX Coordinator may refer the report to other University offices, as appropriate.

If the Title IX Coordinator determines that the conduct reported could fall within the scope of this Policy, and/or could constitute Sexual Harassment, if investigated, the Title IX Coordinator will proceed to contact the Complainant.

As part of the preliminary assessment, the Title IX Coordinator may take investigative steps to determine the identity of the Complainant, if such identity is not apparent from the report.

VII. Contacting the Complainant

If a report is not closed as a result of the preliminary assessment and the Complainant’s identity is known, the Title IX Coordinator or their designee will promptly contact the Complainant to discuss the following:

- the availability of Supportive Measures with or without filing a Formal Complaint;
- the Complainant’s wishes with respect to such Supportive Measures;
- the process for filing and pursuing a Formal Complaint;
- the importance of going to a hospital for treatment and preservation of evidence as soon as practicable after the incident, if applicable;
- the right to report the incident to the institution and to receive a prompt and equitable resolution of the report;
- the right of a victim of a crime to choose whether to report the crime to law enforcement, to be assisted by the institution in reporting the crime to law enforcement, or to decline to report the crime to law enforcement; and
- information about resources that are available on campus and in the community.
VIII. Supportive Measures

**Generally.** Any individual affected by or accused of Sexual Harassment will have equal access to support and counseling services offered through the University. The University encourages any individual who has questions or concerns to seek support of University-identified resources. The Title IX Coordinator or their designee is available to provide information about the University’s policy and procedure and to provide assistance. A list of University identified resources is located at the following link: [http://www.sfasu.edu/lumberjacks-care](http://www.sfasu.edu/lumberjacks-care)

**Complainant.** The Title IX Coordinator or their designee will offer and make available Supportive Measures to the Complainant upon receipt of a report of Sexual Harassment regardless of whether the Complainant elects to file a Formal Complaint.

**Respondent.** The Title IX Coordinator or their designee will notify the Respondent of the availability of Supportive Measures contemporaneously with the Respondent being notified of a Formal Complaint. Once a Formal Complaint has been initiated, the University will offer and make available Supportive Measures to the Respondent in the same manner in which it offers and makes them available to the Complainant. The University will also offer and make available Supportive Measures to the Respondent prior to the Respondent being notified of a Formal Complaint, if the Respondent requests such measures.

**All Parties.** The University will, to the greatest extent practicable, ensure that each Party or other person who reports an incident of Sexual Harassment is offered counseling provided by a counselor who does not provide counseling to any other person involved in the incident. In addition, all Parties are allowed to drop a course in which both Parties are enrolled without any academic penalty.

**Confidentiality.** The University will maintain the confidentiality of Supportive Measures provided to either a Complainant or Respondent, to the extent that maintaining such confidentiality does not impair the University’s ability to provide the Supportive Measures in question.

IX. Interim Removal

At any time after receiving a report of Sexual Harassment, the Title IX Coordinator may remove a student Respondent from the University’s education programs and activities on an temporary basis if an individualized safety and risk analysis determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Harassment justifies removal. In the event the Title IX Coordinator imposes an interim removal, the Title IX Coordinator must offer to meet with the Respondent within twenty-four hours and provide the Respondent an opportunity to challenge the interim removal.

In the case of a Respondent who is a non-student employee (administrator, faculty, or staff), and in its discretion, the University may place the Respondent on administrative leave at any time after receiving a report of Sexual Harassment, including during the pendency of the investigation and adjudication process.
For all other Respondents, including independent contractors and guests, the University retains broad discretion to prohibit such persons from entering onto its campus and other properties at any time, and for any reason, whether after receiving a report of Sexual Harassment or otherwise.

X. Formal Complaint

A. Filing a Formal Complaint

A Complainant may file a Formal Complaint with the Title IX Coordinator requesting that the University investigate and adjudicate a report of Sexual Harassment in accordance with this Policy. Provided, however, that at the time the Complainant submits a Formal Complaint, the Complainant must be participating in, or attempting to participate in, one or more of the University’s Education Programs or Activities.

A Complainant may file a Formal Complaint with the Title IX Coordinator in person, by regular mail, or by email using the contact information specified above. No person may submit a Formal Complaint on the Complainant’s behalf.

In any case, including a case where a Complainant elects not to file a Formal Complaint, the Title IX Coordinator may file a Formal Complaint on behalf of the University if doing so is not clearly unreasonable. Such action will normally be taken in limited circumstances involving serious or repeated conduct or where the alleged perpetrator may pose a continuing threat to the University Community. Factors the Title IX Coordinator may consider include (but are not limited to):

1. the seriousness of the alleged incident, including (a) whether a weapon was involved in the incident, (b) whether multiple assailants were involved in the incident, and (c) whether the incident is poses a risk of recurrence;

2. whether the institution has received other reports of Sexual Harassment committed by the Respondent;

3. whether the alleged incident poses a risk of harm to others; and

4. any other factors the University determines relevant.

If the Complainant or the Title IX Coordinator files a Formal Complaint, then the University will commence an investigation and proceed to adjudicate the matter. If the University elects to proceed as a Complainant, the University will inform the alleged victim of the incident of that decision. In all cases where a Formal Complaint is filed, the Complainant will be treated as a Party, irrespective of the Party’s level of participation.

B. Consolidation of Formal Complaints

The University may consolidate Formal Complaints as to allegations of Sexual Harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one Party against the other Party, where the allegations of Sexual Harassment arise out of the same facts or circumstances. Where the investigation and adjudication process involve more than
one Complainant or more than one Respondent, references in this policy to the singular “Party,” “Complainant,” or “Respondent” include the plural, as applicable.

C. **Dismissal Prior to Commencement of Investigation**

In a case where the Complainant files a Formal Complaint, the Title IX Coordinator will evaluate the Formal Complaint and must dismiss it if the Title IX Coordinator determines:

- The conduct alleged in the Formal Complaint would not constitute Sexual Harassment, even if proved; or
- The conduct alleged in the Formal Complaint falls outside the scope of this Policy (i.e., because the alleged conduct did not occur in the University’s Education Programs and Activities).

In the event the Title IX Coordinator determines the Formal Complaint should be dismissed pursuant to this Section, the Title IX Coordinator will provide written notice of dismissal to the parties and advise them of their right to appeal. The Title IX Coordinator may refer the subject matter of the Formal Complaint to other University offices, as appropriate. A dismissal pursuant to this Section is presumptively a final determination for purposes of this policy, unless otherwise specified in writing by the Title IX Coordinator in the written notice of dismissal.

D. **Notice of Formal Complaint**

Within five days of the Title IX Coordinator receiving a Formal Complaint, the Title IX Coordinator will transmit a written notice to the Complainant and Respondent that includes:

- A physical copy of or hyperlink to this Policy;
- Sufficient details known at the time so that the Parties may prepare for an initial interview with the investigator, to include the identities of the parties involved in the incident (if known), the conduct allegedly constituting Sexual Harassment, and the date and location of the alleged incident (if known);
- A statement that the Respondent is presumed not responsible for the alleged Sexual Harassment and that a determination of responsibility will not be made until the conclusion of the adjudication and any appeal;
- Notifying the Complainant and Respondent of their right to be accompanied by an advisor of their choice;
- Notifying the Complainant and Respondent of their right to inspect and review evidence;
- Notifying the Complainant and Respondent of the University’s prohibitions on retaliation and false statements; and
- Information about resources that are available on campus and in the community.

Should the University elect, at any point, to investigate allegations that are materially beyond the scope of the initial written notice, the University will provide a supplemental written notice describing the additional allegations to be investigated.

E. **Presumption of Non-Responsibility**
From the time a report or Formal Complaint is made, a Respondent is presumed not responsible for the alleged misconduct until a determination regarding responsibility is made final.

XI. Investigation

A. Commencement and Timing

After the written notice of Formal Complaint is transmitted to the Parties, an investigator selected by the Title IX Coordinator will undertake an investigation to gather evidence relevant to the alleged misconduct, including inculpatory and exculpatory evidence. The burden of gathering evidence sufficient to reach a determination in the adjudication lies with the University and not with the Parties. The investigation will culminate in a written investigation report that will be submitted to the adjudicator during the selected adjudication process. Although the length of each investigation may vary depending on the totality of the circumstances, the University strives to complete each investigation within 60 calendar days of the transmittal of the written notice of Formal Complaint.

B. Equal Opportunity

During the investigation, the investigator will provide an equal opportunity for the Parties to be interviewed, to present witnesses (including fact and expert witnesses), and to present other inculpatory and exculpatory evidence. Notwithstanding the foregoing, the investigator retains discretion to limit the number of witness interviews the investigator conducts if the investigator finds that testimony would be unreasonably cumulative, if the witnesses are offered solely as character references and do not have information relevant to the allegations at issue, or if the witnesses are offered to render testimony that is categorically inadmissible, such as testimony concerning sexual history of the Complainant. The investigator will not restrict the ability of the parties to gather and present relevant evidence on their own.

The investigation is a Party’s opportunity to present testimonial and other evidence that the Party believes is relevant to resolution of the allegations in the Formal Complaint. A Party that is aware of and has a reasonable opportunity to present particular evidence and/or identify particular witnesses during the investigation, and elects not to, will be prohibited from introducing any such evidence during the adjudication absent a showing of mistake, inadvertence, surprise, or excusable neglect.

C. Documentation of Investigation

The investigator will take reasonable steps to ensure the investigation is documented. Interviews of the parties and witnesses may be documented by the investigator’s notes, audio recorded, video recorded, or transcribed. The particular method utilized to record the interviews of parties and witnesses will determined by the investigator in the investigator’s sole discretion, although whatever method is chosen shall be used consistently throughout a particular investigation.

D. Access to the Evidence

At the conclusion of the evidence-gathering phase of the investigation, but prior to the completion of the investigation report, the investigator will transmit to each Party and their advisor, in either electronic or hard copy form, all evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including evidence the University may choose not
to rely on at any hearing and inculpatory or exculpatory evidence whether obtained from a Party or some other source. The parties will have ten calendar days in which to submit to the investigator a written response, which the investigator will consider prior to completing the investigation report.

The parties and their advisors are permitted to review the evidence solely for the purposes of this grievance process and may not duplicate or disseminate the evidence to the public.

E. Investigation Report

After the period for the parties to provide any written response has expired, the investigator will complete a written investigation report that fairly summarizes the various steps taken during the investigation, summarizes the relevant evidence collected, lists material facts on which the parties agree, and lists material facts on which the parties do not agree. When the investigation report is complete, the investigator will transmit a copy to the Title IX Coordinator. The investigator will also transmit the investigation report to each Party and their advisor, in either electronic or hard copy form.

XII. Adjudication Process Selection

After the investigator has sent the investigation report to the parties, the Title IX Coordinator will transmit to each Party a notice advising the Party of the two different adjudication processes specified below. The notice will explain that the hearing process is the default process for adjudicating all Formal Complaints and will be utilized unless both parties voluntarily consent to administrative adjudication as a form of informal resolution. The notice will be accompanied by a written consent to administrative adjudication and will advise each Party that, if both parties execute the written consent to administrative adjudication, then the administrative adjudication process will be used in lieu of the hearing process. Parties are urged to carefully review this Policy, consult with their advisor, and consult with other persons as they deem appropriate (including an attorney) prior to consenting to administrative adjudication.

Each Party will have three calendar days from transmittal of the notice specified below to return the signed written consent form to the Title IX Coordinator. If either Party does not timely return the signed written consent, that Party will be deemed not to have consented to administrative adjudication and the Formal Complaint will be adjudicated pursuant to the hearing process.

XIII. Adjudication

A. Hearing Process

The process for adjudicating Formal Complaints is the hearing process specified in this Section. The hearing process will be used to adjudicate all Formal Complaints unless both parties timely consent to Informal Resolution.

1. Hearing Panel

After selection of the hearing process as the form of administrative adjudication, the Title IX Coordinator will promptly appoint a hearing panel which will oversee the hearing process and render a determination of responsibility for the allegations in the Formal Complaint, at the conclusion of the
hearing process. The Title IX Coordinator will see that the hearing panel is provided a copy of the investigation report and a copy of all evidence transmitted to the parties by the investigator. The hearing panel is composed of three people selected from a pool of trained panelists, one of whom will serve as the hearing panel chair. Neither the investigator nor the Title IX Coordinator may serve on the hearing panel. Panelists whose relationship with a party in an investigation causes a conflict of interest shall be excluded from the panel. The hearing panel is responsible for conducting a live hearing for alleged violations of this policy and for making a determination of responsibility and, when appropriate, apply sanctions. Hearing panelists shall complete ongoing training regarding the issues contained in this policy.

2. **Hearing Notice and Response to the Investigation Report**

After the hearing panel is appointed by the Title IX Coordinator, the hearing panel chair will promptly transmit written notice to the parties notifying the parties of the hearing panel’s appointment; setting a deadline for the parties to submit any written response to the investigation report; setting a date for the pre-hearing conference; and setting a date and time for the hearing. Neither the pre-hearing conference, nor the hearing itself, may be held any earlier than ten calendar days from the date of transmittal of the written notice.

A Party’s written response to the investigation report must include:

- To the extent the Party disagrees with the investigation report, any argument or commentary regarding such disagreement;
- Any argument that evidence should be categorically excluded from consideration at the hearing based on privilege, relevancy, the prohibition on the use of sexual history, or for any other reason;
- A list of any witnesses that the Party contends should be requested to attend the hearing pursuant to an attendance notice issued by the hearing panel chair;
- A list of any witnesses that the Party intends to bring to the hearing without an attendance notice issued by the hearing officer;
- Any request that the parties be separated physically during the pre-hearing conference and/or hearing;
- Any other accommodations that the Party seeks with respect to the pre-hearing conference and/or hearing;
- The name and contact information of the advisor who will accompany the Party at the pre-hearing conference and hearing;
- If the Party does not have an advisor who will accompany the Party at the hearing, a request that the University provide an advisor for purposes of conducting questioning.

A Party’s written response to the investigation report may also include:

- Argument regarding whether any of the allegations in the Formal Complaint are supported by a preponderance of the evidence; and
- Argument regarding whether any of the allegations in the Formal Complaint constitute Sexual Harassment.
3. **Pre-Hearing Conference**

Prior to the hearing, the hearing chair will conduct a pre-hearing conference with the parties and their advisors. The pre-hearing conference will be conducted live, with simultaneous and contemporaneous participation by the parties and their advisors. By default, the pre-hearing conference will be conducted with the hearing officer, the parties, the advisors, and other necessary University personnel, if any, together in the same physical location. However, upon request of either Party, the parties will be separated into different rooms with technology enabling the parties to participate simultaneously and contemporaneously by video and audio.

In the hearing chair’s discretion, the pre-hearing conference may be conducted virtually, by use of video and audio technology, where all participants participate simultaneously and contemporaneously by use of such technology.

During the pre-hearing conference, the hearing chair will discuss the hearing procedures with the parties; address matters raised in the parties’ written responses to the investigation report, as the hearing officer deems appropriate; discuss whether any stipulations may be made to expedite the hearing; discuss the witnesses the parties have requested be served with notices of attendance and/or witnesses the parties plan to bring to the hearing without a notice of attendance; and resolve any other matters that the hearing officer determines, in the hearing chair’s discretion, should be resolved before the hearing.

4. **Issuance of Notices of Attendance**

After the pre-hearing conference, the hearing chair will transmit notices of attendance to any University employee (including administrator, faculty, or staff) or student whose attendance is requested at the hearing as a witness. The notice will advise the subject of the specified date and time of the hearing and advise the subject to contact the hearing chair immediately if there is a material and unavoidable conflict.

The subject of an attendance notice should notify any manager, faculty member, coach, or other supervisor, as necessary, if attendance at the hearing will conflict with job duties, classes, or other obligations. All such managers, faculty members, coaches, and other supervisors are required to excuse the subject of the obligation, or provide some other accommodation, so that the subject may attend the hearing as specified in the notice.

The University will not issue a notice of attendance to any witness who is not an employee or a student.

5. **Hearing**

After the pre-hearing conference, the hearing panel will convene and conduct a hearing. The hearing will be audio recorded. The audio recording will be made available to the parties for inspection and review on reasonable notice, including for use in preparing any subsequent appeal.

The hearing will be conducted live, with simultaneous and contemporaneous participation by the parties and their advisors. By default, the hearing will be conducted with the hearing panel, the parties, the advisors, witnesses, and other necessary University personnel together in the same
physical location. However, upon request of either Party, the parties will be separated into different rooms with technology enabling the parties to participate simultaneously and contemporaneously by video and audio. The hearing may, in the hearing chair’s discretion, be conducted virtually, by use of video and audio technology, where all participants participate simultaneously and contemporaneously by use of such technology.

While the rulings from the hearing chair will govern the particulars of the hearing, each hearing will include, at a minimum:

- Opportunity for each Party to address the hearing panel directly and to respond to questions posed by the hearing chair;
- Opportunity for each Party’s advisor to ask directly, orally, and in real time, relevant questions, and follow up questions, of the other Party and any witnesses, including questions that support or challenge credibility;
- Opportunity for each Party to raise contemporaneous objections to testimonial or non-testimonial evidence and to have such objections ruled on by the hearing chair and a reason for the ruling provided;
- Opportunity for each Party to submit evidence that the Party did not present during the investigation due to mistake, inadvertence, surprise, or excusable neglect;
- Opportunity for each Party to make a brief closing argument.

Except as otherwise permitted by the hearing chair, the hearing will be closed to all persons except the parties, their advisors, the investigator, the hearing panel, the Title IX Coordinator, and other necessary University personnel. With the exception of the investigator and the parties, witnesses will be sequestered until such time as their testimony is complete.

During the hearing, the parties and their advisors will have access to the investigation report and evidence that was transmitted to them.

While a Party has the right to attend and participate in the hearing with an advisor, a Party and/or advisor who materially and repeatedly violates the rules of the hearing in such a way as to be materially disruptive, may be barred from further participation and/or have their participation limited, as the case may be, in the discretion of the hearing officer.

Subject to the minimum requirements specified in this Section, the hearing chair will have sole discretion to determine the manner and particulars of any given hearing, including with respect to the length of the hearing, the order of the hearing, and questions of admissibility. The hearing chair will independently and contemporaneously screen questions for relevance in addition to resolving any contemporaneous objections raised by the parties and will explain the rational for any evidentiary rulings.

The hearing is not a formal judicial proceeding and strict rules of evidence do not apply.

6. Subjection to Questioning

In the event that any Party or witness refuses to attend the hearing, or attends but refuses to submit to questioning by the Parties’ advisors, the statements of that Party or witness, as the case may be,
whether given during the investigation or during the hearing, will not be considered by the hearing panel in reaching a determination of responsibility.

Notwithstanding the foregoing, the hearing panel may consider the testimony of any Party or witness, whether given during the investigation or during the hearing, if the parties jointly stipulate that the testimony may be considered or in the case where neither Party requested attendance of the witness at the hearing.

In applying this Section, the hearing panel will not draw an inference about the determination regarding responsibility based solely on a Party or a witness’s absence from the live hearing and/or refusal to submit to questioning by the parties’ advisors.

7. Deliberation and Determination

After the hearing is complete, the hearing panel will objectively evaluate all relevant evidence collected during the investigation, including both inculpatory and exculpatory evidence, together with testimony and non-testimony evidence received at the hearing, and ensure that any credibility determinations made are not based on a person’s status as a Complainant, Respondent, or witness. The hearing panel will take care to exclude from consideration any evidence that was ruled inadmissible at the pre-hearing conference, during the hearing, or otherwise. The hearing panel will resolve disputed facts using a preponderance of the evidence (i.e., “more likely than not”) standard and reach a determination regarding whether the facts that are supported by a preponderance of the evidence constitute one or more violations of the policy as alleged in the Formal Complaint.

8. Discipline and Remedies

In the event the hearing panel determines that the Respondent is responsible for violating this policy, the hearing chair will, prior to issuing a written decision, consult with an appropriate University official with disciplinary authority over the Respondent and such official will determine any discipline to be imposed. The hearing chair will also, prior to issuing a written decision, consult with the Title IX Coordinator who will determine whether and to what extent ongoing support measures or other remedies will be provided to the Complainant.

If a student is found responsible for Sexual Harassment and the sanction imposed makes the student ineligible to reenroll in the University (i.e., suspension or expulsion), the University will include a notation on the student’s transcript. The student may request the removal of a transcript notation imposed under this Policy if:

- the student becomes eligible to reenroll at the University; or
- the University determines that good cause exists to remove the notation.

If the University receives an appropriate request by another postsecondary educational institution, the University will provide to the requesting institution information relating to the University’s determination that the student violated this Policy.
9. **Written Decision**

After reaching a determination and consulting with the appropriate University official and Title IX Coordinator as required above, the hearing chair will prepare a written decision that will include:

- Identification of the allegations potentially constituting Sexual Harassment made in the Formal Complaint;
- A description of the procedural steps taken by the University upon receipt of the Formal Complaint, through issuance of the written decision, including notification to the parties, interviews with the parties and witnesses, site visits, methods used to gather non-testimonial evidence, and the date, location, and people who were present at or presented testimony at the hearing.
- Articulate findings of fact, made under a preponderance of the evidence standard, that support the determination;
- A statement of, and rationale for, each allegation that constitutes a separate potential incident of Sexual Harassment, including a determination regarding responsibility for each separate potential incident;
- The discipline determined by the appropriate University official;
- Whether the Complainant will receive any ongoing support measures or other remedies as determined by the Title IX Coordinator; and
- A description of the University’s process and grounds for appeal.

The hearing chair’s written determination will be transmitted to the parties. Transmittal of the written determination to the parties concludes the hearing process, subject to any right of appeal.

Although the length of each adjudication by hearing will vary depending on the totality of the circumstances, the University strives to issue the hearing chair’s written determination within 15 business days of the conclusion of the hearing.

**B. Administrative Adjudication**

In lieu of the hearing process, the Parties may consent to have a Formal Complaint resolved by administrative adjudication as a form of informal resolution. Administrative adjudication is voluntary and must be consented to in writing by both parties and approved by the Title IX Coordinator. At any time prior to the issuance of the administrative officer’s determination, a Party has the right to withdraw from administrative adjudication and request a live hearing.

If administrative adjudication is selected, the Title IX Coordinator will appoint an administrative officer who does not need to be an employee of the University. The Title IX Coordinator will see that the administrative adjudicator is provided a copy of the investigation report and a copy of all the evidence transmitted to the parties by the investigator.

The administrative officer will promptly send written notice to the Parties notifying the parties of the administrative officer’s appointment; setting a deadline for the parties to submit any written response to the investigation report; and setting a date and time for each party to meet with the administrative officer separately. The administrative officer’s meetings with the parties will not be held any earlier than ten calendar days from the date of transmittal of the written notice specified in this paragraph.
A Party’s written response to the investigation report must include:

- To the extent the party disagrees with the investigation report, any argument or commentary regarding such disagreement;
- Any argument that a particular piece or class of evidence should be categorically excluded from consideration at the hearing based on privilege, relevancy, the prohibition on the use of sexual history, or for any other reason;
- Argument regarding whether any of the allegations in the Formal Complaint are supported by a preponderance of the evidence;
- Argument regarding whether any of the allegations in the Formal Complaint constitute Sexual Harassment.

After reviewing the Parties’ written responses, the administrative officer will meet separately with each party to provide the Party with an opportunity make any oral argument or commentary the Party wishes to make and for the administrative officer to ask questions concerning the Party’s written response, the investigative report, and/or the evidence collected during the investigation.

After meeting with each Party, the administrative officer will objectively revaluate all relevant evidence, including both inculpatory and exculpatory evidence and ensure that any credibility determinations made are not based on a person’s status as a Complainant, Respondent, or witness. The administrative officer will take care to exclude from consideration any evidence that the administrative officer determines should be ruled inadmissible based on the objections and arguments raised by the Parties in their respective written responses to the investigation report. The administrative officer will resolve disputed facts using a preponderance of the evidence (i.e., “more likely than not”) standard and reach a determination regarding whether the facts that are supported by a preponderance of the evidence constitute one or more violations of the policy as alleged in the Formal Complaint.

Thereafter, the administrative officer will consult with any University official and the Title IX Coordinator and will prepare and transmit a written decision which shall serve as a resolution for purposes of informal resolution.

Transmittal of the administrative officer’s written determination concludes the administrative adjudication, subject to any right of appeal.

Although the length of each administrative adjudication will vary depending on the totality of the circumstances, the University strives to issue the administrative officer’s written determination within twenty-one calendar days of the transmittal of the initiating written notice.

**XIV. Dismissal During Investigation or Adjudication**

The University may dismiss a Formal Complaint at any point during the investigation or adjudication process if the Title IX Coordinator determines that any one or more of the following is true:

- The Complainant provides the Title IX Coordinator written notice that the Complainant wishes to withdraw the Formal Complaint or any discrete allegations therein (in which case those discrete allegations may be dismissed);
• The Respondent is no longer enrolled or employed by the University; or
• Specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the Formal Complaint, or any discrete allegations therein (in which case those discrete allegations may be dismissed).

In the event the Title IX Coordinator determines that a Formal Complaint should be dismissed pursuant to this Section, the Title IX Coordinator will provide written notice of dismissal to the parties and advise them of their right to appeal. The Title IX Coordinator may refer the subject matter of the Formal Complaint to other University offices, as appropriate. A dismissal pursuant to this Section is presumptively a final determination as it pertains to this policy, unless otherwise specified in writing by the Title IX Coordinator in the written notice of dismissal.

XV. Appeal

A. Grounds for Appeal

Either Party may appeal the determination of an adjudication, or a dismissal of a Formal Complaint, on one or more of the following grounds:

1. A procedural irregularity affected the outcome;

2. There is new evidence that was not reasonably available at the time the determination or dismissal was made, that could have affected the outcome;

3. The Title IX Coordinator, investigator, hearing panel, or administrative officer had a conflict of interest or bias for or against complainants or respondents generally, or against the individual Complainant or Respondent, that affected the outcome.

No other grounds for appeal are permitted.

B. Deadline to File Appeal

A Party must file an appeal within seven calendar days of the date they receive notice of dismissal or determination appealed from or, if the other Party appeals, within three calendar days of the other Party appealing, whichever is later. All parties will be provided a link to the appeal form upon notification of the findings in their case. The appeal must be submitted in writing by the online appeal form found at the following link: https://cm.maxient.com/reportingform.php?SFAStateUniv&layout_id=81.

The appeal must specifically identify the determination and/or dismissal appealed from, articulate which one or more of the three grounds for appeal are being asserted, explain in detail why the appealing Party believes the appeal should be granted, and articulate what specific relief the appealing Party seeks.

C. Resolution of Appeal

Promptly upon receipt of an appeal, the appeal officer will conduct an initial evaluation to confirm that the appeal is timely filed and that it invokes at least one of the permitted grounds for appeal. If the appeal officer determines that the appeal is not timely, or that it fails to invoke a permitted ground
for appeal, the appeal officer will dismiss the appeal and provide written notice of the same to the parties.

If the appeal officer confirms that the appeal is timely and invokes at least one permitted ground for appeal, the appeal officer will provide written notice to the other Party that an appeal has been filed and that the other Party may submit a written opposition to the appeal within seven calendar days. The appeal officer shall also promptly obtain from the Title IX Coordinator any records from the investigation and adjudication necessary to resolve the grounds raised in the appeal.

Upon receipt of any opposition, or after the time period for submission of an opposition has passed without one being filed, the appeal officer will promptly decide the appeal and transmit a written decision to the parties that explains the outcome of the appeal and the rationale. The determination of a Formal Complaint, including any discipline, becomes final when the time for appeal has passed with no Party filing an appeal or, if any appeal is filed, at the point when the appeal officer has resolved all appeals, either by dismissal or by transmittal of a written decision. No further review beyond the appeal is permitted.

Although the length of each appeal will vary depending on the totality of the circumstances, the University strives to issue the appeal officer’s written decision within 21 calendar days of an appeal being filed.

XVI. Informal Resolution

The University may, in the Title IX Coordinator's discretion, facilitate an Informal Resolution in accordance with the protocol outlined below.

A. Guiding Principles

Generally, informal resolution involves a structured, supervised interaction between the Parties and/or other affected community members that seeks to identify and meet the needs of the Complainant while providing an opportunity for the Respondent and/or other affected community members to accept responsibility and repair harm (to the extent possible). Informal resolution may not include an investigation, hearing, or disciplinary action against a Respondent (including transcript notations), but may include imposing appropriate and reasonable remedies as agreed to by the Parties. All informal resolutions are facilitated by a trained administrator or outside expert.

B. Availability of Informal Resolution

Informal resolution is available in matters in which the Title IX Coordinator, in the Title IX Coordinator’s discretion, determines it is appropriate. Factors the University will consider when determining whether a report of Prohibited Conduct is suitable for Alternative Resolution include, but are not limited to:

- the nature and severity of the conduct, including whether the use of force or a weapon was involved;
- the Respondent’s prior known disciplinary or criminal conduct, including whether the University has received other reports of Prohibited Conduct committed by the Respondent;
- whether the alleged incident poses a risk of harm to other individuals or the community;
• the dynamics of power or control commonly associated with the alleged conduct or the nature of the parties’ relationship;
• whether multiple parties are affected or involved;
• any admissions of responsibility by the Respondent; and
• any other factor deemed relevant by the Title IX Coordinator or their designee in the interest of overall campus safety or safety of the parties involved.

Informal resolution will not be permitted if the Respondent is a non-student employee accused of committing Sexual Harassment against a student.

C. Informal Resolution Process

At any time after the parties are provided written notice of the Formal Complaint, and before the completion of any appeal, the parties may voluntarily consent, with the Title IX Coordinator’s approval, to engage in mediation, facilitated resolution, or other form of dispute resolution the goal of which is to enter into a final resolution resolving the allegations raised in the Formal Complaint by agreement of the parties. Administrative Adjudication is a form of informal resolution.

The specific manner of any informal resolution process will be determined by the Parties and the Title IX Coordinator, in consultation together. Prior to commencing the informal resolution process agreed upon, the Title IX Coordinator will transmit a written notice to the Parties that:

• Describes the parameters and requirements of the informal resolution process to be utilized;
• Identifies the individual responsible for facilitating the informal resolution (who may be the Title IX Coordinator, another University official, or a suitable third-Party);
• Explains the effect of participating in informal resolution and/or reaching a final resolution will have on a Party’s ability to resume the investigation and adjudication of the allegations at issue in the Formal Complaint; and
• Explains any other consequence resulting from participation in the informal resolution process, including a description of records that will be generated, maintained, and/or shared.

After receiving the written notice specified in this paragraph, each Party must voluntarily provide written consent to the Title IX Coordinator, before the informal resolution may commence. The University will not pressure or compel any individual to engage in mediation, to directly confront the other, or to participate in any particular form of informal resolution. Individuals may be accompanied by an adviser or support person at any meetings related to the informal resolution process.

If the Parties reach a resolution through the informal resolution process, and the Title IX Coordinator agrees that the resolution is not clearly unreasonable, the Title IX Coordinator will reduce the terms of the agreed resolution to writing and present the resolution to the parties for their written signature. Once both parties and the Title IX Coordinator sign the resolution, the resolution is final, and the allegations addressed by the resolution are considered resolved and will not be subject to further investigation, adjudication, remediation, or discipline by the University, except as otherwise provided in the resolution itself, absent a showing that a Party induced the resolution by fraud,
misrepresentation, or other misconduct or where required to avoid a manifest injustice to either Party or to the University. Notwithstanding the forgoing if the form of informal resolution is Administrative Adjudication, there shall not be an agreed resolution requiring the parties’ signatures; instead, the determination issued by the administrative officer shall serve as the resolution and conclude the informal resolution process, subject only to any right of appeal. With the exception of a resolution resulting from the Administrative Adjudication process, all other forms of informal resolution pursuant to this Section are not subject to appeal.

D. **Termination of Informal Resolution**

A Party may withdraw their consent to participate in informal resolution at any time before a resolution has been finalized.

E. **Deadlines for Informal Resolution**

Absent extension by the Title IX Coordinator, any informal resolution process must be completed within 21 calendar days. If an informal resolution process does not result in a resolution within 21 calendar days, and absent an extension, abeyance, or other contrary ruling by the Title IX Coordinator, the informal resolution process will be deemed terminated, and the Formal Complaint will be resolved pursuant to the investigation and adjudication procedures. The Title IX Coordinator may adjust any time periods or deadlines in the investigation and/or adjudication process that were suspended due to the informal resolution.

During the pendency of the informal resolution process, the investigation and adjudication processes that would otherwise occur are stayed and all related deadlines are suspended.

**XVII. Other Investigation and Adjudication Considerations**

A. **Advisor of Choice**

From the point a Formal Complaint is made, and until an investigation, adjudication, and appeal are complete, the Complainant and Respondent will have the right to be accompanied by an advisor of their choice to all meetings, interviews, and hearings that are part of the investigation, adjudication, and appeal process. The advisor may be, but is not required to be, an attorney.

Except for the questioning of witnesses during the hearing, the advisor will play a passive role and is not permitted to communicate on behalf of a Party, insist that communication flow through the advisor, or communicate with the University about the matter without the Party being included in the communication. In the event a Party’s advisor of choice engages in material violation of the parameters specified in this policy, the University may preclude the advisor from further participation, in which case the Party may select a new advisor of their choice.

In the event a Party is not able to secure an advisor to attend the and requests the University to provide an advisor, the University will provide the Party an advisor, without fee or charge, who will conduct questioning on behalf of the Party at the hearing. The University will have sole discretion to select the advisor it provides. The advisor the University provides may be, but is not required to be, an attorney.
The University will provide an advisor to any Party upon receipt of a request to the Title IX Coordinator or their designee. The University will provide an advisor for any Party at a hearing for the purpose of cross-examining a Party or witness.

B. **Conflicts of Interest, Bias, and Procedural Complaints**

The Title IX Coordinator, investigator, hearing officer, administrative officer, appeals officer, and informal resolution facilitator will be free of any material conflicts of interest or material bias. Any Party who believes one or more of these University officials has a material conflict of interest or material bias must raise the concern promptly so that the University may evaluate the concern and find a substitute, if appropriate. The failure of a Party to timely raise a concern of a conflict of interest or bias may result in a waiver of the issue for purposes of any appeal.

C. **Objections Generally**

Parties are expected to raise any objections, concerns, or complaints about the investigation, adjudication, and appeals process in a prompt and timely manner so that the University may evaluate the matter and address it, if appropriate.

D. **Treatment Records and Other Privileged Information**

During the investigation and adjudication processes, the investigator and adjudicator are not permitted to access, consider, disclose, permit questioning concerning, or otherwise use:

- a Party’s records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional or paraprofessional’s capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the Party; or
- information or records protected from disclosure by any other legally-recognized privilege, such as the attorney-client privilege

unless the University has obtained the Party’s voluntary, written consent to do so for the purposes of the investigation and adjudication process.

Notwithstanding the foregoing, the investigator and/or adjudicator, may consider any such records or information otherwise covered by this Policy if the Party holding the privilege affirmatively discloses the records or information to support their allegation or defense.

E. **Sexual History**

During the investigation and adjudication processes, questioning regarding a Complainant’s sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant’s prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged, or if the questions and evidence concern specific incidents of the Complainant’s prior sexual behavior with respect to the Respondent and are offered to prove consent. Notwithstanding the foregoing, a Complainant who affirmatively uses information otherwise
considered irrelevant by this Section for the purpose of supporting the Complainant’s allegations, may be deemed to have waived the protections of this Section.

F. **Student Withdrawal or Graduation Pending Disciplinary Charges**

If a student withdraws or graduates from the University pending an investigation of a complaint of Sexual Misconduct under this Policy, the University will expedite the disciplinary process as necessary to accommodate both the Complainant and the Respondent’s interest in a speedy resolution and continue the investigation with or without the participation of the Respondent.

G. **Academic Freedom**

The University will construe and apply this Policy consistent with the principles of academic freedom specified in policy 7.3, Academic Freedom and Responsibility. In no case will a Respondent be found to have committed Sexual Harassment based on expressive conduct that is protected by the principles of academic freedom specified in university policy.

**XVIII. Other Policy Violations**

A. **Bad Faith Complaints and False Information**

It is a violation of this policy for any person to submit a report or Formal Complaint that the person knows, at the time the report or Formal Complaint is submitted, to be false or frivolous. It is also a violation of this policy for any person to knowingly make a materially false statement during the course of an investigation, adjudication, or appeal under this policy. Violations of this Section are not subject to the investigation and adjudication processes in this policy; instead, they will be addressed under the Student Code of Conduct in the case of students and other University policies and standards, as applicable, for other persons.

B. **Other Sex-Based Misconduct**

This policy applies only to Sexual Harassment as defined in this Policy. Complaints of other forms of sex discrimination are governed by policy 2.11, Nondiscrimination Policy.

**XIX. Discretion in Application**

A. **Interpretation**

The University retains discretion to interpret and apply this Policy in a manner that is not clearly unreasonable, even if the University’s interpretation or application differs from the interpretation of the Parties.

The provisions of this Policy and the Hearing Procedures are not contractual in nature, whether in their own right, or as part of any other express or implied contract. Accordingly, the University retains discretion to revise this Policy and the Hearing Procedures at any time, and for any reason. The University may apply Policy revisions to an active case provided that doing so is not clearly unreasonable.
B. **Outside Appointments, Dual Appointments, and Delegations**

The University retains discretion to retain and appoint suitably qualified persons who are not University employees to fulfill any function of the University under this policy, including, but not limited to, the investigator, hearing officer, administrative officer, informal resolution officer, and/or appeals officer. The University also retains discretion to appoint two or more persons to jointly fulfill the role of investigator, hearing officer, administrative officer, informal resolution officer, and/or appeals officer.

The functions assigned to a given University official under this policy, including but not limited to the functions assigned to the Title IX Coordinator, investigator, hearing officer, administrative officer, informal resolution officer, and appeals officer, may, in the University’s discretion, be delegated by such University official to any suitably qualified individual and such delegation may be recalled by the University at any time.

C. **Vendors, Contractors and Third Parties**

The University does business with various vendors, contractors, and other third-parties who are not students or employees of the University. Notwithstanding any rights that a given vendor, contractor, or third-party Respondent may have under this policy, the University retains its right to limit any vendor, contractor, or third-party’s access to campus for any reason. And the University retains all rights it enjoys by contract or law to terminate its relationship with any vendor, contractor, or third-party irrespective of any process or outcome under this policy.

D. **Recordings**

Wherever this policy specifies that an audio or video recording will be made, the recording will be made only by the University and is considered property of the University, subject to any right of access that a Party may have under this policy, FERPA, and other applicable federal, state, or local laws. Only the University is permitted to make audio or video recordings under this policy. The surreptitious recording of any meeting, interview, hearing, or other interaction contemplated under this policy is strictly prohibited. Any Party who wishes to transcribe a hearing by use of a transcriptionist must seek pre-approval from the hearing officer.

E. **Relationship With Criminal Process**

This policy sets forth the University’s processes for responding to reports and Formal Complaints of Sexual Harassment. The University’s processes are separate, distinct, and independent of any criminal processes. While the University may temporarily delay its processes under this policy to avoid interfering with law enforcement efforts if requested by law enforcement, the University will otherwise apply this policy and its processes without regard to the status or outcome of any criminal process.

**Cross Reference:** Nondiscrimination (2.11); Academic Freedom and Responsibility (7.3); Faculty Code of Conduct (7.11); Tenure and Continued Employment (7.29); Student Code of Conduct (10.4); Discipline and Discharge (11.4); Title IX of the Education Amendments Act of 1972, 20 U.S.C. §§ 2.13 Title IX

**Responsible for Implementation:** President

**Contact for Revision:** Title IX Coordinator

**Forms:** Sexual Misconduct Reporting Form, Sexual Misconduct Appeal of Investigation Findings Form, Responsible Employee - Title IX Reporting Form

**Board Committee Assignment:** Academic and Student Affairs
Policy Name: Staff Compensation and Classification

Policy Number: 12.2

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/31/17

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): This policy establishes that the Department of Human Resources is responsible for developing and administering the SFA compensation plan and job classification system. This policy does not include faculty or student compensation and classification.

Reason for the addition, revision, or deletion (check all that apply):
- [x] Scheduled Review
- [ ] Change in law
- [ ] Response to audit finding
- [ ] Internal Review
- [ ] Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for each substantive revision: N/A

Specific rationale for deletion of policy: N/A

Additional Comments:

Clarifications, wording and formatting changes.

Reviewers:

Danny Gallant, Vice President for Finance and Administration
Damon Derrick, General Counsel
Staff Compensation and Classification

Original Implementation: February 3, 2005
Last Revision: January 31, 2017 July 21, 2020

Purpose

This policy establishes that the Department of Human Resources is responsible for developing and administering the SFA compensation plan and job classification system. This policy does not include faculty or student compensation and classification.

Definitions

Restructuring occurs when a position changes from one classification to another because of changes to job duties and responsibilities and institutional funds are not available for position changes.

Reclassification occurs when a position changes from one classification to another because of changes to job duties and responsibilities and institutional funds are available for position changes.

A promotion is a voluntary or involuntary move to a position in a higher salary grade or a higher level position in the same salary grade.

A lateral transfer is a transfer from a position within a salary grade to another position within the same salary grade.

An interim assignment occurs when an employee is compensated for assuming duties performed by a former employee in a different position.

A demotion is a voluntary or involuntary move to a position in a lower salary grade.

General

To effectively manage compensation and classification of its employees, Stephen F. Austin State University (SFA) maintains a system of compensation and classification that:

1. considers the external market, while focusing primarily on ensuring internal equity and emphasizing the advantages of a collegial work environment;
2. rewards and retains those individuals who exceed defined performance expectations;
3. provides flexibility in implementation and process to meet the needs of the university;
4. sets a system for progression and mobility through job enrichment, promotions, merits and equity adjustments;
5. identifies the required education, experience, knowledge, skills and abilities required for all SFA positions; excluding casual (short-term or sporadic temporary) positions; and
6. encourages and rewards the acquisition of skills.
Compensation Plan Development

The Human Resource Department is responsible for developing the SFA compensation plan. Development of the plan shall include extensive studies of compensation studies of nationwide competitive comparable universities to ensure that the salary structure is competitive. Comparable universities include those with characteristics similar to SFA. The competitive comparable salary survey data and benchmark jobs are used to determine appropriate salary ranges for SFA positions. Benchmark jobs are those with characteristics similar enough to jobs performed in other organizations.

The SFA compensation plan includes job descriptions, salary grade structures and requirements for distributing compensation to employees:

A. Job Descriptions

Job descriptions will contain the SFA job title, a general job summary, a list of essential (major) job duties and responsibilities, and job requirements (i.e. minimum education, experience, exemption status under the Fair Labor Standards Act (FLSA) and other qualification requirements that an individual should have to fill the position). The Department of Human Resources may develop job descriptions for individual jobs or for entire job families. Job descriptions are used to:

1. evaluate and classify jobs to determine appropriate internal position relationships;
2. communicate to new or existing employees the fundamental duties and responsibilities of their jobs;
3. provide job information that can be used to determine competitive pay relationships in the labor market;
4. provide job information which can be used in the recruitment and selection process;
5. provide job information which can be used in employee relations matters, such as performance appraisal, employee orientation, grievance resolution, and identification of training and development needs; and
6. ensure compliance with government legislation.

Changes in the duties of a job may require re-analysis and re-evaluation of a job. Where changes are judged significant by the supervisor and/or manager, he/she should complete a Job Analysis Questionnaire (JAQ), located on the Department of Human Resources website. Job description updates occur when job responsibilities have changed. The salary grade will remain the same because the classifications are similar in scope and responsibilities. Minor job description updates can occur anytime an update is appropriate.

Where updates are judged significant by human resources, a Job Analysis Questionnaire (JAQ), located on the human resources website, will be requested from the supervisor and/or manager.

Requests for a JAQ may also be prompted by the creation of a proposed new job title or by a substantial and permanent change in duties or requirements of an individual position or in the majority of individual positions within a job title. For a change in duties or requirements to

12.2 Staff Compensation and Classification

Page 2 of 58

135
qualify for re-evaluation, it should meet one or more of these criteria:

1. It is a permanent change in duties; not a special project or short-term assignment;
2. The addition, deletion, or change affects a duty that constitutes a significant portion of the job (at least 15%);
3. The duty which is added, deleted, or changed is substantially different in level and type from the balance of the job duties so that it seems reasonable that the change in that one duty would affect the evaluation of the job on one or more job evaluation factors; or
4. The levels of education or experience required for the job noticeably change. These requirements should reflect minimum standards for satisfactory job performance, not an incumbent’s qualifications.

The official job title on the job description will be used for all personnel records and publications (for internal purposes, however, departments may use a different functional title). New official job titles may be created only with the prior review and approval by the director of human resources or designee.

B. Pay Salary Grade Structures

Salary grade structures are used to identify the minimum and maximum salary range of pay for each position. SFA uses one combined grade structure to establish compensation limits for jobs. The structure is based on competitive practices and internal equity considerations, and provides the possibility for progression to more responsible jobs with higher and broader pay salary grade ranges. As part the budget process each year, the director of human resources or designee will review the competitiveness of its pay-grade structures. The review will include (1) comparisons of the competitive status of SFA’s midpoints to the relevant external market; (2) a review of anticipated average movement of pay structures by peer and comparison organizations.

Based on findings of the review, a recommendation will be prepared for consideration by the director of human resources concerning adjustments to the pay structures. The recommendation will include detailed cost analyses and will be provided to senior management for consideration. Hiring employees below the minimum of the salary range grade is contrary to university policy and is not permitted. Conversely, the maximum of the pay range salary grade is the upper limit of pay for a job. An employee’s rate of pay may not normally exceed the respective maximum for the job. Request for payment a rate of pay above pay range the salary grade maximum must be approved by director of human resources or designee.

C. Requirements for distributing—Distributing compensation—Compensation to employees

The Human Resources Department of Human Resources is responsible for ensuring that compensation is distributed in a fair, equitable manner that supports the needs of the university. Directors are responsible for initiating the following salary actions for review and approval by the Human Resources Department of Human Resources.
Initial Hire Salary Offer

Employee pay rates must meet or exceed the minimum of the pay range, salary grade, the FLSA salary threshold, and any institutionally established equity threshold. The hiring department has full discretion for placing a new employee's pay up to midpoint of the salary grade. Hiring rates above the midpoint require prior approval by the director of human resources before the verbal offer is extended to the candidate.

Merit Increases

SFA policies permit the awarding of merit increases on a semi-annual basis to be effective either on September 1 and/or March 1. Only benefits-eligible employees who have completed six months of continuous employment at SFA as of the effective date of the merit program are eligible to receive a merit increase.

Merit increases are based on an employee's documented job performance and are intended to reward individual performance, increased productivity, improved quality, and/or reduced costs. To be eligible for a merit increase, individuals must have successfully completed initial probation or have a current performance appraisal with a rating of acceptable or above on file in the Department of Human Resources. Employees receiving a rating below acceptable will not be eligible for a merit increase without approval from the director of human resources or designee.

Restructuring and Reclassification

Restructuring occurs when a position changes from one classification to another because of changes to job duties and responsibilities and institutional funds are not available for position changes. The department or the division will be required to reallocate funds to cover the cost of restructuring. Departments may submit a Request for Position Restructure form to the appropriate vice president or administrator and to the budget office within the annual budget process. Human resources will determine whether the changes being requested qualify for restructuring. Restructuring of filled positions approved within the annual budget process will be effective September 1.

A reclassification occurs when a position changes from one classification to another because of changes to job duties and responsibilities and institutional funds are available for position changes. Departments may submit a JAQ to human resources within the annual budget process to request a reclassification of a filled position within their department. Human resources will determine whether the changes being requested qualify for a reclassification. Reclassification of filled positions approved within the annual budget process will be effective September 1.

Reclassification can also occur when there is a vacancy in a department and the department requests to reclassify the vacant position to one that better suits the needs of the department. Reclassification of a vacant position can occur anytime within the fiscal year.

Lateral reclassifications occur when job responsibilities have changed but the new classification has the same pay salary grade because the classifications are similar in scope and responsibilities. The overall job requirements are comparable in the new job with the same pay salary grade as the old job.
Lateral reclassifications can occur at any time that a reclassification is appropriate, as defined by this policy.

Restructuring or reclassifications that result from a departmental reorganization typically occurs when one or more positions within a department become vacant. The department re-evaluates its organizational structure and redistributes job duties and responsibilities, resulting in classification changes. Restructuring or reclassifications resulting from reorganizations can occur anytime within the fiscal year. All other reclassifications must occur within the annual budget process unless approved by the director of human resources and the budget office.

In isolated situations, the university may restructure or reclassify positions in order to satisfy institutional budgetary considerations or in response to external factors including but not limits to compliance, legislative, or accreditation requirements.

Promotions

Promotion can occur through the posting process (voluntary), through restructuring to the same or a higher salary grade (involuntary), through reclassification to the same or a higher salary grade (involuntary), or through achievement of professional licensure (voluntary). When an individual employee is promoted, his or her pay will normally be adjusted to reflect the new level of responsibility. In isolated situations, when an individual's base pay rate is at a higher level than rates paid to incumbents, an individual may be granted a promotion with no change in pay. An employee may be granted a promotion with no change in pay when their pay rate is at a higher level than rates paid to comparable positions. Human resources will use factors including but not limited to position title, position group, essential functions, and salary grade. Any promotional increase should raise the employee's pay rate to at least the minimum of the pay range salary grade. Conversely, a promotional increase may not increase the employee's pay rate above the maximum of the new pay range salary grade.

If an employee is promoted through the posting process, the hiring department has full discretion for placing the salary base pay rate of an employee up to the midpoint of the salary grade. Recommended promotional increases which fall outside of these parameters are governed by normal university hiring procedures and approval processes. For promotional restructuring or reclassification, human resources will use internal and external salary data in determining recommended promotional increase amounts. In instances where an employee’s salary grade does not change, but there are substantial changes in responsibility and duties as a result of the restructure or reclassification, human resources may place an employee’s new base pay rate between the minimum and maximum promotional increase range. All promotional actions must be reviewed by the director of human resources.

In determining recommended promotional increase amounts, the following factors are considered:
- Rates paid to incumbents in the new position, both within hiring college or division and in other colleges and divisions throughout the university;
- Pay range for the new position and the difference in the number of pay grades between the old
position and the new position;
Qualifications of the individual versus qualifications of incumbents in the same job in the college or
division;
External salary survey data, if it is available; and
Change in FLSA designation or overtime designation; i.e., a change from non-exempt job to an
exempt job.

**Lateral Transfer**

Lateral transfer can occur through the posting process, through restructuring, through reclassification, or through an approved reduction-in-force process. The director of human resources, or designee, must approve all lateral transfers that are not associated with the posting process.

Each classification is assigned to a specific position group by human resources. A lateral transfer may or may not result in a change to the employee’s base pay rate. If an employee is laterally transferred through the posting process, the hiring department has full discretion for placing the base pay rate up to the midpoint of the salary grade. Pay rates above the midpoint require approval by human resources before the verbal offer is extended to the employee. For all other lateral transfers, human resources will use the position group in determining recommended increase amounts as appropriate.

**Interim Assignment**

In the event of a vacancy in a key position, a department or division head may designate an employee to serve in an interim assignment. At the department’s discretion, an interim assignment may not remove an employee’s responsibility to fulfill their current job duties.

**Exempt Employees**

Exempt employees serving in an interim assignment remain in their current exempt position number and are paid via a supplemental electronic personnel action form (EPAF) on a monthly basis. In extremely rare situations, human resources may move an exempt employee to another exempt position number which will reflect the title and pay for the period they serve in an interim assignment.

**Non-exempt Employees**

Human resources will perform the FLSA exemption test for non-exempt employees serving in an interim assignment for exempt positions. Non-exempt employees may:

1. Remain in their non-exempt position number if their interim assignment duties do not pass the FLSA exemption test (non-exempt employees paid monthly will be paid via a supplemental EPAF on a monthly basis); or
2. Be moved from their current non-exempt position number to an exempt position number if their interim assignment duties pass the FLSA exemption test; or
3. Be moved from their current non-exempt position number to another non-exempt position number if their interim assignment duties do not pass the FLSA exemption test and they are hourly, semi-monthly paid employees (the new non-exempt position number will reflect the change in title and pay for the period they serve in an interim assignment).

Demotions

New base pay rates of employees who are demoted to jobs assigned to lower pay grades will be determined by considering the rates paid to incumbents in the same job title. Demotions can occur through the posting process (voluntary), through restructuring (involuntary), through reclassification (involuntary), or through the disciplinary process (involuntary). If an employee is demoted through the posting process, the hiring department has full discretion for placing the base pay rate up to the midpoint of the salary grade. Pay rates above the midpoint require approval by human resources before the verbal offer is extended to the employee. Base pay rates of employees who are involuntary demoted will be determined by considering the rates paid to comparable positions. Human resources will use factors including but not limited to position title, position group, essential functions, and salary grade. A demotion may or may not result in a reduction in the employee’s base pay rate. The new base pay rate, however, must fall within the pay range salary grade of the new job. If the employee’s pay falls above the maximum of the new pay range salary grade, the employee’s pay must be reduced to at least the maximum of the pay range salary grade. All involuntary demotions require prior approval by the director of human resources or designee.

Reclassifications

A reclassification occurs when a position changes from one classification to another because of changes to job duties and responsibilities. Lateral reclassifications occur when job responsibilities have changed but the new classification has the same pay grade because the classifications are similar in scope and responsibilities. The overall job requirements are comparable in the new job with the same pay grade as the old job. Lateral reclassifications can occur at any time that a reclassification is appropriate.

Reclassifications that result from a departmental reorganization typically occur when one or more positions within a department become vacant, the department re-evaluates its organizational structure and redistributes job duties and responsibilities resulting in classification changes. Reclassifications resulting from reorganizations can occur anytime within the fiscal year. All other reclassifications must occur within the annual budget process unless approved by the director of human resources and the budget office.

Transfers

Normally, there will be no change to the base pay rate of an employee who is laterally transferred. Under extraordinary circumstances and in extremely rare situations, an employee may receive a salary increase on a lateral move. Any increase granted on a lateral move requires the approval of the director of human resources. Transfers can occur through the posting process or through an approved reduction-in-force process. The director of human resources must approve all employee transfers that are not associated with the posting process.
Equity Adjustments

The Department of Human Resources periodically audits pay rates within classifications to identify potential pay problems. It is also the responsibility of the department head to bring to the attention of the director of human resources or designee any significant pay problems that may exist in their department. A department head may initiate a pay equity adjustment when an equity pool is funded as part of the budget process. A request is appropriate if the department head determines the present level of compensation of an employee or group of employees is at a level where:

1. It results in an unusual level of turnover of employees in the group; or,
2. It results in the affected department experiencing significant difficulty in recruiting candidates to fill vacant positions; or,
3. It results in a disparity in current paid rates for similarly classified employees in that unit; or,
4. The level of compensation is substantially below the comparable level of compensation for similar employment outside SFA; and, or
5. The present level of compensation has substantially reduced the university's ability to deliver services.

Individual equity increases shall be based on one or more of the following:
   a. Internal equity
   b. External competitiveness
   c. Longevity

All equity pay adjustments are subject to review and approval by the appropriate vice president or administrator and also the director of human resources or designee. Normally, funds for any approved equity pay adjustment must come from the authorized budget of the affected division.


Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Director of Human Resources

Forms: Request for Position Evaluation Restructure form; Job Analysis Questionnaire (JAQ)

Board Committee Assignment: Finance and Audit
Policy Name: Student Code of Conduct

Policy Number: 10.4

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 7/1/2019

Unit(s) Responsible for Policy Implementation: Office of Community Standards

Purpose of Policy (what does it do): The Student Code of Conduct details what conduct is prohibited on campus and what procedures will be used for adjudicating alleged violations of the code.

Reason for the addition, revision, or deletion (check all that apply):
- [x] Scheduled Review
- [ ] Change in law
- [ ] Response to audit finding
- [ ] Internal Review
- [ ] Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: This policy has been substantially revised and streamlined.

Specific rationale for each substantive revision: Major revision include eliminating the differentiation between violations with a complainant and those without. A new provision on "Animal Cruelty" has been added to address issues associated with an increase in comfort animals on campus. The process of appealing a determination of responsibility or the severity of the sanctions applied have been streamlined to make them easier for students to navigate.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Steve Westbrook, Vice President for University Affairs
Damon Derrick, General Counsel
Choosing to join the SFA community obligates one to adhere to a code of civilized behavior that embraces academic and personal integrity; respect for the dignity, rights and property of others; and an intolerance of bigotry. In keeping with this obligation, students and student organizations are expected to conform to the standards outlined in the Student Code of Conduct.

Additionally, at SFA, the community holds itself to a standard called The SFA Way. At its basis, The SFA Way encourages the entire university community to “strive for personal excellence in everything we do.” While the Student Code of Conduct articulates the minimum expectations of those in the community, the university encourages students to “hold themselves and others accountable” to the higher standards of The SFA Way root principles: Respect, Caring, Responsibility, Unity, and Integrity.

This document is organized into the following sections:

Article I: Definitions
Article II: Proscribed Conduct
Article III: Procedures
Article IV: Non-Discrimination, Interpretation and Revision

**ARTICLE I: DEFINITIONS**

1. The term “university” means Stephen F. Austin State University.
2. The term “student” includes all persons enrolled at the university. Persons who withdraw after allegedly violating the Student Code of Conduct, who are not officially enrolled for a particular term but have a continuing relationship with the university, or participate in university sponsored activities prior to enrollment, are considered “students;” as are persons who are living in university residence halls, although not enrolled.
3. The “vice president for university affairs” is the person designated by the university president to be responsible for the administration of the Student Code of Conduct.
4. The term “student conduct administrator” means a university official authorized by the vice president for university affairs or his/her designee to impose sanctions upon any student(s) found to have violated the Student Code of Conduct.
5. The term “student conduct authority” means any person or persons authorized by the vice president for university affairs or designee to determine whether a student has violated the Student Code of Conduct and to recommend or impose sanctions when a violation has been committed.
6. The term “complainant” means any individual(s) who are alleged to have been impacted by a violation of this policy.
7. The term “respondent” means any student accused of violating this Student Code of Conduct.
8. The term “reporting party” means any individual who submits a report alleging a violation of this Student Code of Conduct. The reporting party and complainant may or may not be the same.
person.
8-9. The term “responding party” means a student against whom an allegation of prohibited behavior is directed.
9.10. The term “due process” means a respondent has or will be given notice of the accusation and an opportunity for a hearing. In a case involving a complainant, the complainant will have the same access to due process as the respondent. The term, “university-recognized medium” refers to means of communicating with students. In most cases, this will mean the student’s official SFA email address.
10.11. The term “student conduct hearing” means a meeting between the student conduct authority and a respondent(s) to determine, through a sharing of information, whether the student(s) has violated the Student Code of Conduct as well as the need for any sanction.
11.12. The term “administrative disposition hearing” means a hearing with a student conduct authority to determine whether a student has violated the Student Code of Conduct and imposing sanctions on students found responsible for violations.
12. The term “advisor” means an individual accompanying a respondent or a complainant in a student conduct hearing. An advisor may not participate in the hearing in any capacity other than providing advice and support to the student they are accompanying. The student may select anyone to serve as their advisor but may only have one advisor present during the course of any meeting or hearing where the advisor-attorney will also be present.
13.14. The term “outcome” means the end result after a hearing (informal or formal).
14.15. The term “appeal” means the review by the designated appellate authority of the full record of a disciplinary hearing and the sanction imposed by a student conduct administrator or student conduct hearing board to determine the adequacy of the procedures used and the fairness of the sanctioning. The appeal may or may not include a meeting with the respondent and/or complainant.
15.16. The term “appellate authority” means any person or persons authorized by the vice president for university affairs or designee to consider an appeal regarding a student conduct authority’s determination as to whether a student has violated the Student Code of Conduct or regarding the sanctions imposed by the student conduct administrator.
16.17. The term “faculty member” means any person hired by the university to conduct classroom or teaching activities or who is otherwise considered by the university to be a member of its faculty.
17.18. The term “university official” includes any person employed by the university while in the act of performing assigned responsibilities.
18.19. The term “member of the university community” includes any person who is a student, faculty member, university official or other person employed by the university. A person’s status in a particular situation shall be determined by the student conduct administrator.
19.20. The term “university premises” includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the university (including adjacent streets and sidewalks).
20.21. The term “organization” means any number of students who have met as a group,
whether as a registered student organization or—as an unaffiliated student organization, while on campus or at a recognized university event.

20.22. The term “policy” means the written regulations of the university as found in, but not limited to, the Student Code of Conduct, the student handbook, residence life handbook and/or community guidelines, the university web page and online policy manual, computer use policies, graduate and undergraduate general bulletins and the schedule of classes.

21. The term “complicity” means being present during the planning or commission of any violation of the Student Code of Conduct in such a way as to condone, support, or encourage that violation. Students who anticipate or observe a violation of the Student Code of Conduct are expected to remove themselves from association or participation and are encouraged to report the violation immediately.

22. The term “interim suspension” refers to the suspension of a student after notice but prior to a student conduct hearing when necessary to ensure the safety and well-being of members of the university community. Examples of when an interim suspension may be appropriate include but are not limited to the following: the preservation of university property or programs; to ensure the student’s own physical or emotional safety and well-being; and/or if the student poses an ongoing threat of disruption of, or interference with, the normal operations of the university.

23. The term “shall” is used in the imperative sense.

24. The term “may” is used in the permissive sense.

ARTICLE II: PROSCRIBED CONDUCT

A. Jurisdiction of the Student Code of Conduct

This Student Code of Conduct shall apply to conduct that occurs on university premises, at university sponsored activities, in electronic communities/instructional sites that exist because of or are associated with the university and to off-campus conduct that adversely affects the university community and/or the pursuit of its objectives. The Student Code of Conduct shall apply to a student’s conduct even if the student withdraws from school while a disciplinary matter is pending. The vice president for university affairs or designee shall decide whether the Student Code of Conduct shall be applied to conduct occurring off campus, on a case-by-case basis, in his/her sole discretion. Student conduct which that may be the result of psychological issues may be reviewed under policy 10.13 (Students Displaying Serious Psychological Problems). Student conduct which may be defined as sex-based misconduct may be reviewed under university policy 2.13 (Sex and Gender-Based Discrimination, Violence, Harassment, and Misconduct). Student conduct which may be defined as sexual misconduct will be reviewed under policy 2.13 (Sexual Misconduct).

B. Conduct—Rules and Regulations

Any student found to have committed or to have attempted to commit the following misconduct is subject to disciplinary sanctions:

1. Dishonesty - Acts of dishonesty, including but not limited to, the following: Acts of dishonesty, including but not limited to the following:
   a. Cheating or plagiarism as defined in university policy 4.1 (Student Academic
Dishonesty), or other forms of academic dishonesty or breach of integrity such as but not limited to the distribution or selling of lecture notes, handouts, readers or other instructor-provided materials without permission.

b. Furnishing false information to any university official, faculty member, or office.

c. Forgery, alteration, or misuse of any university document, record, or instrument of identification.

d. Fraud as defined in university policy 2.7 (Fraud).

2. Alcohol - Alcohol use, possession, manufacturing, or distribution of alcoholic beverages (except as expressly authorized by university policies 13.7, Alcohol Service, and 13.11, Illicit Drugs and Alcohol Abuse), is prohibited on university premises and university-sponsored events. Students are expected to comply with all state and local laws, as well as all Residence Life regulations regarding the presence of alcohol in the residence halls (see also, Residence Life Community Guidelines) including, but not limited to: Disorderly conduct, disruption or obstruction of teaching, research, administration, living environments, disciplinary proceedings, other university activities, including public service functions on or off campus, or of other authorized non-university activities when the conduct occurs on university premises. These acts include, but are not limited to:

a. Possession or consumption of alcohol by anyone under the age of 21 is prohibited. Making or causing any false report, warning, or threat of fire, explosion, or other emergency.

b. Providing alcohol or access to alcohol to anyone under the age of 21 is prohibited. Interfering with police, fire or emergency service.

c. Being found in a state of public intoxication or drunkenness is prohibited. Failure to evacuate a building or area when directed.

d. Possession of common containers (e.g. kegs, trash cans, etc.) on campus is prohibited. Willfully disregarding any emergency or fire alarm signal.

e. Operating a motor vehicle or another form of transportation while intoxicated or while under the influence of alcohol is prohibited. Disorderly conduct or disruptions in classrooms, other instructional areas and university events. This includes unduly interfering with expressive activities or infringing upon the constitutionally protected speech of students, employees, visitors or invited guest.

f. Violating any provision of the Code of Student Conduct while under the influence of alcohol is prohibited. Violation of rules set forth in the Residence Life Community Guidelines.

3. Illegal Drugs - The act of using, possessing, being under the influence of, manufacturing, or distributing illegal drugs or illegally obtained/possessed controlled substances is prohibited. Abusing legally obtained drugs by failing to take the drug as directed. Except as expressly permitted by law, use, possession, manufacturing, or distribution or being a party thereto of marijuana, heroin, narcotics, or other controlled substances, drug paraphernalia or dangerous drug is also prohibited. (See also, policy 13.11, Illicit Drugs and Alcohol Abuse) Physical abuse, fighting, assault, verbal abuse, threats, intimidation, harassment, bullying, coercion, stalking, or other conduct defined in university policies 13.3 (Annual Disclosure of Crime Statistics) or 2.13 (Sexual Misconduct), which threatens or endangers the health or safety of any person that is not an exercise of constitutional rights.

4. Harassment - Any conduct (physical, verbal, graphic, written, or electronic) that is
sufficiently severe, pervasive, or persistent to create an objectively hostile environment that interferes with or diminishes the ability of an individual to participate in or benefit from the services, activities, or privileges provided by the university. This provision shall not be used to discipline students for speech protected by the First Amendment. Discrimination, as defined in university policy 2.11 (Discrimination Complaints), sexual assault, sexual abuse, and other sexual misconduct defined in university policies

5.4.13.3 (Annual Disclosure of Crime Statistics) or 2.13 (Sexual Misconduct).

6. **Harm to Person** - Actions which cause or may cause injury, create conditions that cause injury, or which cause a reasonable apprehension of physical injury is prohibited. Attempted or actual theft of and/or damage to property of the university or property of a member of the university community or other personal or public property, on or off campus. This includes possession of stolen property and other related conduct defined in university policy 13.3 (Annual Disclosure of Crime Statistics).

7.5. Hazing, as defined in university policy 10.3 (Hazing).

8.6. **Disruptive Behavior** - Interference or disruption of students, faculty, administration, staff, the educational mission, or routine operations of the university is prohibited. Such activity includes, but is not limited to, behavior in a classroom or instructional program that interferes with the instructor or presenter’s ability to conduct the class or program, or the ability of others to profit from the class or program. To remain in the vicinity of activity that is disrupting normal university functions when requested to leave by a university official is prohibited. Bystanders, if their presence incites or adds to the disruption, as well as more active participants in the disruptive activity, may be in violation of this policy as well. Engaging in physical violence of any nature against any person. This includes fighting; assaulting; battering; using a knife, gun, or other weapon; or acting in a manner that threatens or endangers the physical health or safety of any person or causes a reasonable apprehension of such harm. Failure to comply with directions of university officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.

9.7. **Animal Cruelty** - Prohibited conduct includes: Wrongful use of university goods, services or information including but not limited to:

a. Intentionally, knowingly, or recklessly torturing, causing serious bodily injury to an animal, or killing an animal. Unauthorized possession, duplication or use of keys to any university premises or unauthorized entry to or use of university premises.

b. Failing to provide necessary food, water or care for an animal in the person’s custody. Unauthorized possession or use of security codes, long distance access codes or calling cards, or cable service.

c. Abandoning an animal in the person’s custody. Sale or use of university property for personal gain.

d. Transporting or confining an animal in a manner that may cause seriously bodily injury to any animal without the owner’s consent. Misuse of proctoring, tutoring, testing or student accommodation services.

d. e. Causing one animal to fight with another animal or overworking an animal in a manner that may cause serious bodily injury is prohibited.

10.-8. **Damage to Property** - Intentionally, knowingly, or recklessly causing damage to
property or actions that may cause such damage is prohibited. Examples include removal of window restrictors or security screens; dropping, throwing, or causing objects or substances to fall from windows, doors, ledges, balconies, or roofs; and/or unauthorized application of graffiti to property. Violation of any university policy, rule, or regulation published in hard copy or available electronically on the university website.

11.9. **Damage to Fire Safety Equipment** - Any tampering, removal, and/or damage to fire and safety equipment on university property (e.g., residence halls, student center, campus recreation center and all academic buildings, etc.). Tampering includes pulling false fire alarms, discharging fire extinguishers, removing exit signs, and interfering with smoke detectors and sprinklers. (See also, Texas Penal Code Section 42.06)

12. **Violation of any federal, state or local law including, but not limited to:**

a. Arson,
b. Robbery,
c. Burglary,
d. Forgery,
e. Gambling, and
f. Trespassing.

13. **Complicity** – being present during the planning or commission of any violation of the Student Code of Conduct in such a way as to condone, support, or encourage that misconduct is prohibited. Use, possession, manufacturing, or distribution of any illegal substance as delineated in university policy 13.11 (Illicit Drugs and Alcohol Abuse), or a simulated illegal substance, or drug paraphernalia.

14. **Guest Responsibility** - Students are accountable for violations their guests may commit while visiting them or the university community. Use, possession, manufacturing, or distribution of alcoholic beverages or products (except as expressly permitted by university policy 13.11 regarding Illicit Drugs and Alcohol Abuse), or public intoxication or other alcohol-related crime. Alcoholic beverages or products may not, in any circumstance, be used by, possessed by or distributed to any person under twenty-one (21) years of age.

15. **Illegal or unauthorized possession of firearms, ammunition, explosives, fireworks, other weapons, or dangerous chemicals, as outlined in university policy 13.9 (Firearms Explosives and Ammunition) or use of any item, such as a weapon replica, even if legally possessed, in a manner that harms, threatens or causes fear to others. Possession of weapon replicas will be determined on a case-by-case basis.**

12. **Abuse of the Student Conduct Process** - Interfering in any manner with the student conduct process is prohibited. Examples of violating this policy include, but are not limited to: Obstruction of the free flow of pedestrian or vehicular traffic on university premises or at university sponsored or supervised functions.

a. Failing to participate in a hearing or investigation.
b. Colluding with or intimidating witnesses.
c. Providing false or incomplete information that may mislead an investigation/hearing or intentionally omitting relevant information from an investigation or hearing.

15. **Failure to Comply** - Students and student organizations are expected to comply with reasonable and lawful requests of university officials in the performance of their duties. University officials include, but are not limited to, faculty, staff, and university police.
officers. Students are expected to appear at conduct hearings to respond to allegations or testify as a witness upon reasonable notice. A failure to comply with or complete a sanction or obligation resulting from a conduct hearing or adjudication may constitute failure to comply.

Theft, destruction or other abuse of computer facilities and resources, as delineated in university policies including, but not limited to: university policies 14.2 (Acceptable Use of Information Resources), 9.3 (Digital Millennium Copyright), or 9.2 (Reproduction of Copyrighted Works by Educators and Librarians). Examples of prohibited acts in these policies include but not limited to:

a. Unauthorized entry into a file or account, to use, read, or change the contents, or for any other purpose.
b. Unauthorized transfer, copying or download of a file or software.
c. Use of another individual’s identification and/or password.
d. Use of computing facilities and resources to interfere with the work of another student, faculty member or university official.
e. Use of computing facilities and resources to send obscene or abusive messages.
f. Use of computing facilities and resources to interfere with normal operation of the university computing system.
g. Use of computing facilities and resources in violation of copyright laws.
h. Violation of any departmental or lab policy.
i. Use of any device that interferes with the normal operations of the university computing system.

16.14. Misuse of Computing Resources - Failure to comply with university regulations and policies, license agreements, and contracts governing network, software and hardware use; abuse of communal resources; use of computing resources for unauthorized commercial purposes or personal gain; failure to protect your password or use of your account; breach of computer security, harmful access, or invasion of privacy are prohibited. Misuse and/or other abuse of computer facilities and resources are also prohibited (See also, policy 9.3, Digital Millennium Copyright and policy 9.2, Reproduction of Copyrighted Works by Educators and Librarians). Interfering with the freedom of expression of others on university property or at university-sponsored events.

17. Misuse of Keys/Access Cards - No person may use or possess any university key or access card without proper authorization. No student is allowed to have a university key duplicated without prior permission from faculty or staff with authority to provide that permission. Abuse of the student conduct system, including but not limited to:

a. Failure to obey the notice from a student conduct administrator or hearing board or university official to appear for a meeting or hearing as part of the student conduct system.

Falsification, distortion, or misrepresentation of information before a student conduct administrator or hearing board.

Disruption or interference with the orderly conduct of a student conduct hearing board proceeding.

Institution of a student conduct code proceeding in bad faith.

Attempting to discourage an individual’s proper participating in, or use of, the student conduct system.

Attempting to influence the impartiality of a member of a student conduct hearing board prior to, and/or during the course of, the student conduct hearing board proceeding.

Harassment (verbal or physical) and/or intimidation of a student conduct administrator or.
member of a student conduct hearing board prior to, during, and/or after a studentconduct code proceeding.

Failure to comply with the sanction(s) imposed under the Student Code of Conduct.

Influencing or attempting to influence another person to commit an abuse of the studentconduct code system.

Retaliating against any party involved in the student conduct process.

18.15. Violating any rule, regulation, or law for which the university could be penalized including but not limited to fire, safety or environmental codes.

16. Retaliation - Retaliation against any individual for filing a complaint or alleging misconduct. Failure to complete required student trainings/assessments within the timeframe determined by university officials.

17. Theft - Theft of any kind, including seizing, receiving, or concealing property with knowledge that it has been stolen, is prohibited. Sale, possession, or misappropriation of any property or services without the owner’s permission is also prohibited.

18. Gambling - Conducting, organizing, or participating in any activity involving games of chance or gambling except as permitted by law and university policy.

19. Unauthorized Entry or Use - Unauthorized entry into, presence in, or use of university facilities equipment or property is prohibited.

20. Traffic Obstruction - Obstruction of the free flow of pedestrian or vehicular traffic on university premises or at university-sponsored or supervised activities.

21. Reckless Operation - Driving in a manner that recklessly endangers the health and/or safety of oneself or others on campus. Driving includes, but is not limited to, vehicles, bicycles, skateboards, scooters, and other mobile devices.

22. Weapons - No illegal weapons are allowed on the premise or at university-sponsored events. (see also, policy 13.9 Firearms, Explosives and Ammunition)

23. Sex-Based Misconduct - Due to the intersectionality of misconduct between potential violations of policy 10.4, Student Code of Conduct and the Sex- and Gender-Based Discrimination, Violence, Harassment, and Misconduct policy 2.13, all incidents that allege sex-based discrimination must first undergo assessment, and potential investigation, by the university’s Title IX office. If the potential violation is determined not to rise to the level of a policy 2.13 violation, or when deemed appropriate, information may be sent to investigation or sanctioning under policy 10.4, Student Code of Conduct. Misconduct under policy 2.13 includes, but is not limited to: program inequity, domestic/dating violence, sexual assault, stalking, and sexual harassment.

24. Violation of University Policies - Violation of any official university policy, rule, or regulation is prohibited. Such rules include, but are not limited to, Residence Life Community Guidelines, Athletics Student Athlete Handbook, Campus Recreation Center Policies and Procedures, Greek Life policies and procedures, and university Parking Services Regulations.

25. Off-Campus - The university reserves the right to investigate and adjudicate violations that may occur off university premises. The university may take action in situations occurring off university premises involving:

   a. Student misconduct demonstrating flagrant disregard for any person or persons.
   b. When a student or student organization behavior is judged to threaten the health, safety, and/or property of any individual or group.
   c. Any other activity which adversely affects the university community and/or the
pursuit of its objectives. This action may be taken for either affiliated or non-affiliated activities.

26. Violation of Law - Violation(s) of any federal, state, or local law including, but not limited to:
   a. Arson
   b. Robbery
   c. Burglary, and
   d. Trespassing

C. Violation of Law and University Discipline

University disciplinary proceedings may be instituted against a student charged with conduct that potentially violates both the criminal law and this Student Code of Conduct (that is, if both possible violations result from the same factual situation) without regard to the pendency of civil or criminal litigation in court or criminal arrest and prosecution. Proceedings under this Student Code of Conduct may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus at the discretion of the vice president for university affairs or designee.

Determinations made or Findings and sanctions imposed under this Student Code of Conduct shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of university rules were dismissed, reduced, or resolved in favor of or against the criminal law defendant.

When a student is charged by federal, state, or local authorities with a violation of law:
   a. The university will not request or agree to special consideration for that individual because of his or her status as a student.
   b. The university may advise off-campus authorities of the existence of the Student Code of Conduct and of how such matters are typically handled within the university community.
   c. The university will attempt to cooperate with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators provided that the conditions do not conflict with campus rules or sanctions.

ARTICLE III: PROCEDURES

A. Introduction

The following rules of procedure in student disciplinary matters are adopted to ensure that the university will fulfill the requirements of procedural due process in student disciplinary proceedings, outlined in the Student Code of Conduct (10.4) and Residence Life Community Guidelines, both of which are updated annually. Disciplinary procedures within the university shall be definite and determinable as outlined in the Student Code of Conduct (10.4) and the Residence Life Community Guidelines.

These rules of procedure shall be followed in any disciplinary proceeding, subject to the authority of the Board of Regents and the authority delegated to the president of the university to exercise jurisdiction over disciplinary matters of the university. Cases involving sex-based misconduct,
including, but not limited to, sexual violence, domestic/dating violence, and/or stalking may be investigated according to university policy 2.13 (Sex and Gender-Based Discrimination, Violence, Harassment, and Misconduct). Sexual misconduct will be investigated according to university policy 2.13 (Sexual Misconduct). Sanctioning and appeals of sanctions in cases involving sexual misconduct will be conducted under this policy.

B. Overview of the Process
When a complaint is received in the Office of Student Rights and Responsibilities, the respondent will be contacted through a university-recognized medium or personal delivery. The student will be provided with a notice to appear for an administrative disposition hearing (informal or formal) with the student conduct authority. Details of administrative disposition procedures are provided below. Once a decision has been made, either the respondent, complainant or both shall have the right to request a hearing under the hearing procedures after the conclusion of an administrative disposition. Details of hearing procedures are provided below. A student, if the student desires, they may appeal the finding of the hearing decision rendered to the dean of student affairs or designee. If a student desires, they may waive their right to a hearing in favor of a hearing with the dean of student affairs or designee so long as they are appealing the sanction received and not the findings of the student conduct authority. The ruling decision of the dean of student affairs or designee shall be final. Procedures governing appeals are provided below.

C. Filing the Complaint
Any member of the university community may file a complaint against a student alleging a violation or violations of the Student Code of Conduct. Complaints may be submitted in writing to the Office of Student Rights and Responsibilities. Anonymous complaints may be made, however, electing to remain anonymous may significantly limit the university’s ability to investigate, collect evidence, or take effective action against individuals or organizations accused of violating the policy.

D. Filing a False or Frivolous Complaint
Knowingly filing a false or frivolous complaint or knowingly providing false information to intentionally mislead a university official who are investigating or reviewing a complaint is expressly forbidden. A frivolous complaint is one that is made in retribution for another student filing a complaint and that can be clearly demonstrated as lacking merit. Violators may face charges up to and including suspension or expulsion. The university is the sole party who may file charges of a false or frivolous complaint.

E. Notice of Allegations/Charges
Upon receiving a report of an alleged violation of the Student Code of Conduct, the student conduct administrator will review the report and, if needed, conduct an initial investigation. If there is sufficient evidence to indicate that a violation may have occurred, a notice of allegations/charges will be sent to the respondent, including the alleged incident date and the nature of the charges, with instructions to appear in person at a designated location within five (5) business days to begin the student conduct process. The official means of contacting the student will be through university email or postal mail. If the student does not respond as instructed, another notice will be sent allowing another five (5) business days to respond. Failure to respond to the second notice may lead to the case being heard in absentia (without the student being
present) and holds placed on the student’s account. Holds will remain in place at least until the student contacts the student conduct administrator to receive case resolution information or until any sanction has been completed. Appeals to student conduct findings and/or sanctions heard in absentia must be filed within five (5) business days of the student conduct authority or student conduct hearing board’s decision.

Where an incident has or can be reasonably expected to greatly disrupt the university environment, falls within the category of a suspendable offense, or occurs at the beginning or very near the end of a semester, the student may be contacted to come in immediately to begin the process immediately. In addition to notices by email and postal mail, attempts will may be made to contact the student by phone or by in-person contact by a university employee. This expedited contact is intended to preserve the university living/learning environment and can offer a student found responsible of an infraction options that may be time-limited or time-based, such as withdrawing prior to financial penalties or beginning a suspension period in a timely manner.

Failure by a student to have current contact information on file will not invalidate the notices.

F. Immediate Response

The university reserves the right to take any action as may be reasonably appropriate, upon receipt of a complaint, to protect the complainant or university community pending the final outcome of these procedures. These actions may include, but not limited to, housing reassignments, class schedule changes, and/or restrictions from entering certain buildings and/or participation in certain events. These actions will be handled on a case-by-case basis.

G. Investigation

The student conduct administrator, or designee, will begin an investigation of the case as an impartial party, not as a representative of the complainant. The investigator may interview the reporting party, complainant, the respondent, and any other persons who may have pertinent factual information about the case. The process and the potential outcomes will be explained to both the complainant and the accused, especially the use of the investigatory results in the student conduct process. All persons interviewed will be advised that this is a confidential investigation.

The investigator will meet with the respondent and provide the student access to the written complaint. The respondent may choose to respond verbally in the interview or in writing within a specified time. If the respondent accepts responsibility for the complaint allegations, the case may be resolved at that time through an administrative disposition/hearing or other remediation as deemed appropriate. The complainant contacted with the outcome to the extent allowed by law, as well as the Title IX and ADA coordinators as appropriate. Both students have the right to request a hearing under the hearing procedures after the conclusion of an administrative disposition or to appeal the outcome as outlined in the appeals section of this policy.

The investigator may also gather and examine documents and other evidence relevant to the complaint and may consult with appropriate personnel for advice and guidance as applicable. The investigation should be completed within 20 business days. The investigator will document any reasons for an investigation taking longer than 20 business days. The investigation includes the
preparation of the report of findings and recommendations (if appropriate).

H. Burden of Proof
The burden of proof is by a preponderance of the evidence, defined as evidence which leads a reasonable person to conclude something is more probable than not. The rules of evidence do not apply in any hearing nor are the proceedings to be conducted as judicial trials; however, care shall be taken to comply with the intent of the procedural safeguards provided by these guidelines.

I. Administrative Disposition Hearing (Informal)
Administrative dispositions will be hearings are conducted with a single-member student conduct authority who will review the initial report, allow the student to respond or offer additional evidence, meet with the respondent, render a decision, and determine sanctions as deemed appropriate. The ability to present witnesses to the alleged incident may be limited in this format. If the student conduct authority is unable to render a decision, or if the details of the case make a formal hearing more advisable, the case may be referred to the student conduct hearing board for a hearing. Otherwise, a student must request a hearing under the hearing procedures after the conclusion of an administrative disposition or appeal the sanction to the dean of student affairs or designee within five (5) business days of the decision or the decision outcome becomes final.

J. Hearing Board (Formal)
A multi-member board composed of at least three individuals university members (typically two faculty/staff and one student) who will conduct hearings serve as the student conduct authority upon request to adjudicate alleged violations. The faculty/staff members will be selected from a pool of appointees from the vice president for university affairs or designee. The students will be selected from and a representative of the general student population with input from the student government association president. The respondent will be advised of the board members in the hearing notification described below and have one business day to challenge a board member’s participation based on known facts that would impact impartiality or conflict of interest. The university may replace the student member of the board for certain cases that require additional training or involve sensitive student information. Any alterations to the typical board composition will follow the same notification procedure.

K. Notice of Hearing
The hearing board chair student conduct administrator will provide notice of the hearing transmitted either through a university-recognized medium or personal delivery to the respondent. The notice will set forth the date, time, and place of the alleged violation, the conduct in question, and the date, time, and place of the hearing before the student conduct hearing board. The respondent will be informed that an advisor may accompany the respondent to be present during the hearing. The student must notify the student conduct hearing board chair administrator if an attorney is chosen will serve as an advisor to allow the university’s attorney to also be present. Failure by the respondent to have a current local address on record with the university or to access notifications transmitted through a university-recognized medium shall not invalidate the notice. The notice shall be given at least five (5) business consecutive calendar days prior to the hearing, unless a shorter or longer time is fixed by the chair granted for good cause. Any request for
continuance shall be made in writing to the chair, student conduct administrator, who has the authority to reschedule the hearing if it is determined the request is timely and for good cause.

If a new hearing must be set for either the failure of the respondent to show or for a continuance, the chair will notify the student conduct administrator and the respondent of the new date for the hearing. Failure to appear for the newly scheduled hearing will lead to the case being heard in absentia (without the student being present) and holds placed on the student’s account. Holds will remain in place at least until the student contacts the student conduct administrator to receive case resolution information or until any sanction has been completed.

Appeals to student conduct findings and/or sanctions must be filed within five (5) business days of the student conduct authority’s decision as outlined in the appeal section of these procedures.

L. Role of the Chair in Hearings During Formal Hearing
The chair manages the hearing according to the procedures outlined in this document and ensures it is conducted in a manner consistent with the ascertainment of the truth and the orderly process of justice. Each person in attendance is expected to exhibit proper dignity, courtesy, and respect. The chair may dismiss any person from the hearing who interferes, with or obstructs, the hearing or fails to abide by the rulings of the chair.

Procedural questions which arise during the hearing not covered by these general rules shall be determined by the chair, whose ruling shall be final unless the chair presents the question to the committee at their request, in which event the ruling of the committee by majority vote shall be final. The chair may also seek guidance from the general counsel prior to or during the hearing on procedural issues.

M. Role of the Student Conduct Administrator During Formal Hearing
In serving both the student conduct hearing board and the respondent, the role of the student conduct administrator is impartial and supportive in nature and there is no involvement in the final determination of the board. -The student conduct administrator shall provide a summary of the case and initial investigations and can also be called to testify about the outcomes of previous similar cases. and the conduct background of the respondent for consideration by the student conduct hearing board for sanctioning if the student is found responsible for a violation of the student code of conduct.

N. Order of Proceedings During Formal Hearing
The student conduct hearing board chair will preside at the hearing, determine the presence or absence of the respondent, verify the receipt of notices of charges by the respondent, the alleged misconduct, call for or report any continuances (rescheduling) requested or granted, determine the presence of any advisor, of the respondent and explain any special or extraordinary additional procedures to be employed during the hearing. The hearing will be recorded in either voice or video format.

The student conduct administrator will begin the process by presenting a general overview of the case to the board outlining the basic nature of the case, the types of evidence to be used, and the findings of any investigation prior to the hearing. However, This information is prepared at the
direction of the student conduct hearing board chair after a review of the initial report of the alleged incident. The student conduct administrator is not a part of the student conduct hearing board and serves to provide the board and the respondent with assistance in obtaining the information necessary for as full a hearing of the facts as possible until the hearing has been concluded.

The respondent can—may choose to make opening remarks after the student conduct administrator gives the overview or wait until the any defense witnesses or evidence are conduct in question is presented. The respondent's advisor may advise the respondent, but may not participate in the hearing, for example by questioning witnesses or addressing the board.

The student conduct hearing board and the respondent may call and cross-examine witnesses and present evidence. The respondent may address the board and inspect and copy the board's findings and determinations. The respondent can—or may—but cannot be—is not required to, testify. Any person testifying, including the respondent, shall be subject to cross-examination, subject to other provisions specified in this policy.

The respondent will be afforded an opportunity to obtain necessary witnesses and—documentary or other—provide additional evidence. The student conduct administrator will assist in securing the cooperation of witnesses. The student conduct administrator cannot compel other students to appear at a hearing but can—or may—assist students being called as witnesses with class absence notifications when necessary.

The student conduct administrator will make available any necessary documents and other evidence within the university’s control, to the extent allowed by law. Depending on the nature of the evidence, it may be made available to the respondent during normal university business hours—but not released to the respondent and/or in an alternate format such as a photograph or recording.

The hearing is meant to be an exchange of information and a presentation of facts and—evidence by witnesses having direct knowledge of the alleged infraction. The student conduct hearing board chair may limit the number of—or disallow completely, character witnesses that have no knowledge of the alleged incident. Witnesses are called beginning with those who the student conduct hearing board requested. The board members and the respondent may both ask questions.

The board chair may direct the respondent to direct questions to the chair to be asked on the respondent’s behalf at the chair’s discretion. When this process is completed, following, the respondent may call any witnesses or present any additional evidence or information relevant to the current complaint conduct in question.

After all witnesses and evidence has been presented, the respondent may make a closing statement, if desired. The chair may then call on the student conduct administrator for a range of sanctions for the alleged infraction. At this time, the student conduct administrator, the respondent, and any advisor are—is excused and, the recording stopped, and for deliberations. The student conduct hearing board analyzes the all information gathered, provided, determines what it believes are the facts of the case, and renders a finding of responsible or not responsible, and an and/or appropriate sanction, if necessary. These findings are The outcome shall be delivered to the student conduct administrator within 3 business days where an outcome letter will be
prepared for the respondent. The respondent may appeal the decision within five (5) business days of the date of the letter of findings as outlined in the appeal section of these procedures.

Hearings are closed to the public. The general counsel may be consulted in procedural matters of the student conduct hearing board and may be present at hearings. All information presented in the hearing is confidential and restricted to only those who have an absolute need to know.

**O. Hearing Procedures with a Complainant**

When a hearing is held with a complainant, the process will follow the general pattern of the regular hearing in this manner:

a. Summary of the case and initial investigations by the student conduct administrator
b. Opening statement by the complainant (five minutes)

e. Opening statement by the respondent if the respondent chooses (five minutes)
d. Presentation of witnesses and evidence by complainant
e. Presentation of witnesses and evidence by respondent
f. Closing statement by the complainant (five minutes)
g. Closing statement by the respondent if the respondent chooses (five minutes)

The burden of proof is by a preponderance of the evidence. Cross-examination of the witnesses is allowed by both parties. In cases of alleged victimization, the parties shall not be permitted to directly question each other. The student conduct hearing board is permitted to question the parties and/or witnesses at any time during the proceeding. At the conclusion of the complainant’s closing statement, the student conduct administrator, the complainant, the respondent, and any advisors are excused, the recording stopped, and the student conduct hearing board analyzes the information gathered, determines what it believes are the facts of the case, renders a finding of responsible or not responsible, and an appropriate sanction, if necessary. These findings are to be delivered to the student conduct administrator within three (3) business days where an outcome letter will be prepared and sent to the respondent and the complainant to the extent allowed by law and to the Title IX and/or ADA coordinator as appropriate. Any appeal to the board’s decision must be made within five (5) business days of the date of the letter of findings as outlined in the appeal section of these procedures.

Hearings are closed to the public. The general counsel may be consulted in procedural matters of the student conduct hearing board and may be present at meetings. All information presented in the hearing is confidential and restricted to only those who have an absolute need to know.

In addition to the procedures outlined elsewhere, the following will also apply:

a. Both the respondent and the complainant will receive the notice of the hearing.
b. Both the respondent and the complainant will have the right to challenge a board member’s participation based on known facts that would impact impartiality or conflict of interest. This selection must be made prior to the hearing, within one day of receiving the notice.
e. Both the respondent and the complainant have the right to have an advisor present.
d. Both the respondent and the complainant may ask for a continuance.
e. Both the respondent and the complainant will have the same opportunity to obtain witnesses and evidence and have the assistance of the university as described.
f. Both the respondent and the complainant will have the right to testify or refuse to testify.
g. Both the respondent and the complainant will have opportunity to cross-examine all witnesses and are subject to cross examination if choosing to give testimony. An intercom or other remote audio or video device may be used in hearings to allow a complainant to testify and respond to questions and cross-examinations without face-to-face contact with the respondent.
h. Both the respondent and the complainant will have the ability to submit a written response to the charges.

P.O. Appeal Procedures
Students have one level of appeal for every student conduct case. The final appellate authority shall be the vice president for university affairs or his/her designee. There shall be two grounds for appeal, the first is appealing the findings of responsibility and the second is an appeal of the sanction received. Respondents sanctioned under this policy for violation of the Sexual Misconduct policy (2.13) may only appeal the sanction(s) administered under this policy.

Appeal of the Findings of Responsibility
The respondent may appeal the finding of responsibility to the dean of student affairs or designee. The student must file a signed and dated written appeal in the Office of the Dean of Student Affairs no later than 5 p.m. the day of the deadline. The written appeal must contain: the respondent's university identification number, date of the disciplinary action being appealed, the nature of the charges, the grounds which merit an appeal, and any extenuating circumstances the respondent wishes to have considered. A request(s) to continue to reside on campus and/or attend classes during the appeal process.

Appeal of the Sanction
The respondent may accept the finding of responsibility but appeal the sanction to the vice president for university affairs or his or her designee. The signed and dated written appeal must be filed in the Office of the Dean of Student Affairs no later than 5 p.m. the day of the deadline. The written appeal must contain: the respondent's university identification number, date of the disciplinary action being appealed, the nature of the charges, the grounds which merit an appeal, and any extenuating circumstances the respondent wishes to have considered. A request(s) to continue to reside on campus and/or attend classes during the appeal process.

Q.P. Confidentiality and Records
All hearings and records (written, electronic, audio or video recording, etc.) pertaining to hearings will be considered education records and will be treated as designated by current law. Student conduct records are kept for two years beyond a student’s final enrollment at the university. Records for cases where a student has been suspended or expelled are held permanently.

Disciplinary actions which result in extended separation from the university and prevent enrollment will be noted on the academic transcript. Information will include the specific sanction (suspension, expulsion, or debarment) along with the effective dates of the sanction. Students may request in writing that the notation be removed upon completion of the
sanction. Written requests must include the student’s name and student identification number, and may must be submitted to the Office of Student Rights and Responsibilities. The Office of Student Rights and Responsibilities will verify a student’s eligibility for the transcript notation to be removed and will notify the Registrar’s Office for removal of the transcript notation.

There will be no disclosure of file contents outside of the university without the written permission of the student, unless required or allowed by law. Disclosure within the university is limited to those employees having legitimate need of the information to conduct university business. Incident reports are generally not released to students to protect the privacy rights of other students involved in the incident all involved parties. A student may make a written request for a personal copy of their incident report and receive a redacted copy. Disclosure to victims of violent crimes, nonforcible sex offenses or other offenses with reporting requirements will be handled according to current law.

Hearings are audio and/or video recorded. All hearings are closed to the public.

R.O. Rights of Students in Disciplinary Proceedings

The rights outlined below will be accorded to any student in an administrative disposition or hearing for an alleged violation of the student code of conduct. Both the respondent and complainant shall have the same rights under this Student Code of Conduct unless additional rights are provided to either party according to law.

a. to be present at the hearing;
b. to meet with the student conduct administrator to discuss the disciplinary process;
c. to submit a written account of the alleged incident;
d. to be advised of the date, time and location of the disciplinary hearing, and to request rescheduling (a continuance) for good cause;
e. to be present at the hearing and to be accompanied by an advisor of the student’s choosing during the hearing process, although the advisor will not be permitted to speak for the student during the hearing;
f. to testify at the hearing;
g. to decline to testify, with knowledge that all relevant evidence will be considered and the alleged violation adjudicated;
h. to hear or examine evidence presented against the respondent;
i. to have and cross-examine witnesses, as specified in this policy;
j. to make any statement in mitigation or explanation of the conduct in question;
k. to be informed in writing of the finding and any sanction imposed to the extent allowed by law;
l. to appeal the finding and/or sanction to the proper authority;
m. to waive hearing deadlines rights to a hearing as outlined in these procedures.

Additional Rights of Complainant in Disciplinary Proceedings Involving Victimization

Some actions that violate university policy involve victimization of one or more students by another student(s). This behavior may include physical violence and other acts that endanger the safety of others in the university community. Individuals initiating a complaint involving victimization or respondents in these cases are entitled to certain rights during the disciplinary process. Cases involving victimization defined as-
sexual misconduct will be investigated according to university policy 2.13 (Sexual Misconduct).

If a complaint is filed with the student conduct administrator, it is important to remember that the respondent is being charged with violating a university rule or regulation; therefore, the university is ultimately responsible for investigating, initiating charges, imposing sanctions if the respondent chooses to admit the violation, implementing the hearing process, and determining sanctions following a finding of responsibility. Although a complainant’s input may be sought during the disciplinary process, the ultimate disposition of the case rests with the university. If a complainant withdraws a complaint during the course of the disciplinary proceeding, the university reserves the right to proceed with the case on the basis of evidence other than the testimony of the complainant.

During the course of a disciplinary proceeding, a complainant in cases involving victimization has the following rights:

- to meet with the student conduct administrator to discuss the disciplinary process;
- to have reasonable assistance from the university in remediating any situation where the victim must be in contact with the respondent, such as a change in residence hall or course section assignment or restrictions on entering specific buildings or attending certain events;
- to make an impact statement, either in person or in writing, to the student conduct hearing board for consideration during the sanctioning phase;
- to know the outcome of the process as allowed by laws related to the particular incident.

**S.R. Sanctions**

**Penalties:**

**Admonition:** is a written warning.

**Conduct Probation:** is for a specified period of time and requires that a second offense will may result in disciplinary probation or suspension.

**Disciplinary Probation:** is for a specified period of time and may carry with it other conditions to be met (e.g., restriction of participation in extracurricular activities, holding student office, pledging or joining campus organizations).

**Special Action:** is a sanction designed to enhance the educational intent of the disciplinary process. Examples of sanctions include, but are not limited to, the requirement of a special program or class (the cost of this program will be paid by the student), removal from university housing, payment of damages, extracurricular activity restrictions, restitution, community service, educational sanctions, counseling referrals, removal from any class or program, or restrictions on enrollment in any class or program and restrictions or removal from academic courses, university housing, or extracurricular activities.

**Suspension of an Individual:** is a bar from attending the university for a specific period of time and begins at the date and time specified by the student conduct authority considering the case. A suspension also carries with it the following conditions:

a. The respondent **Student** must remain off the campus during the period of suspension, except when summoned by a university official or when an appointment with an
official has been arranged in advance.

b. A student under suspension may not live or board in university facilities.

**Suspension of a Student Organization:** is loss of university recognition for a specified period of time as outlined in university policy 10.9 (Student Organization Formation and Recognition).

Student organizations are required to cease all activities during the specified period. Special Actions may also be attached to the suspension to enhance the educational intent of the disciplinary process. Suspended student organizations must submit a new application as an organization at the end of the suspension period.

**Expulsion:** is a permanent bar from attending the university whereby the student is not eligible for readmission to the university and begins at the date and time specified by the student conduct authority considering the case. An expelled student's status will also carry the following conditions:

a. The expelled student must remain off the campus, except when summoned by a university official or when an appointment with an official has been arranged in advance.

b. A student under expulsion may not live or board in university facilities.

**Debarment:** is equivalent to suspension from the university applied to persons not currently registered at the time the penalty sanction is imposed.

**Interim Suspension:** The student conduct authority may, with the approval of the vice president for university affairs or designee, suspend a student for an interim period pending disciplinary proceedings when there is evidence that the continued presence of the student on the university campus poses a substantial threat of harm or bodily injury, damage to property, or threat to the stability and continuance of normal university functions. The student conduct authority may provide for the interim suspension to become immediately effective without prior notice to the student. However, the student conduct authority shall provide notice to the student at the first reasonable opportunity.

The student conduct authority shall inform the student that he/she is entitled to a hearing to be held within five (5) university business days from the effective date of the interim suspension. If the student desires, a preliminary hearing shall then be held on the following issues only:

A. the reliability of the information concerning the student's conduct, including the matter of his/her identity;

B. whether the conduct and surrounding circumstances reasonably indicate that the continued presence of the student on the university campus poses a substantial threat of harm or bodily injury, damage to property, or threat to the stability and continuance of normal university functions.

If the student conduct authority finds the information concerning the respondent's conduct that the
alleged violation is unreliable or that the respondent has been misidentified, charges may be dismissed. If the student conduct authority finds that allowing the respondent to remain on campus poses no threat or disruption, the student may be allowed to remain on campus pending the completion of the hearing process.

**T.S. Status during Appeal**

In cases of suspension or expulsion when an appeal is filed within the required time, a respondent may petition the Office of the Dean of Student Affairs in writing for permission to continue to reside on campus and/or attend classes pending final determination of the appeal. The student conduct authority may permit either of these requests under such conditions as may be designated pending completion of appellate procedures, provided such continuance will not seriously disrupt the university or constitute a danger to the health, safety or welfare of the university community.

**ARTICLE IV: NON-DISCRIMINATION, INTERPRETATION AND REVISION**

Decisions rendered according to this policy will be made based on observations of a student’s conduct, actions and statements and not on the basis of a student’s race, color, religion, national origin, sex, age, disability, genetic information, citizenship, veteran status, sexual orientation, gender identity, or gender expression.

Any question of interpretation or application of the Student Code of Conduct shall be referred to the vice president for university affairs or designee for final determination.

The Student Code of Conduct shall be reviewed annually under the direction of the vice president for university affairs or designee.

**Cross Reference:** Tex. Educ. Code §§ 51.9315, .9364; Fraud (2.7); Discrimination Complaints (2.11); Sex and Gender-Based Discrimination, Violence, Harassment, and Misconduct (2.13); Student Academic Dishonesty (4.1); Reproduction of Copyrighted Works by Educators and Librarians (9.2); Digital Millennium Copyright (9.3); Hazing (10.3); Student Organization Formation and Recognition (10.9); Students Displaying Serious Psychological Problems (10.13); Annual Disclosure of Crime Statistics (13.3); Illicit Drugs and Alcohol Abuse (13.11); Firearms Explosives and Ammunition (13.9); Acceptable Use of Information Resources (14.2); Residence Life Community Guidelines

**Responsible for Implementation:** Vice President for University Affairs

**Contact for Revision:** Dean of Student Affairs

**Forms:** None

**Board Committee Assignment:** Academic and Student Affairs
POLICY SUMMARY FORM

Policy Name: Student Internships

Policy Number: 11.29

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 7/25/2017

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): This policy describes the process to place or employ a student intern at SFA and to determine whether the internship must be paid or unpaid.

Reason for the addition, revision, or deletion (check all that apply):

☒ Scheduled Review ☑ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for each substantive revision: N/A

Specific rationale for deletion of policy: N/A

Additional Comments:

Minor wording and formatting changes

Reviewers:

Danny Gallant, Vice President for Finance and Administration
Damon Derrick, General Counsel
Student Internships

Original Implementation: July 29, 2014
Last Revision: July 21, 25, 2020

Purpose

This policy describes the process to place or employ a student intern at SFA and to determine whether the internship must be paid or unpaid.

General

The Fair Labor Standards Act (FLSA) defines the term “employ” very broadly as “to suffer or permit to work.” When it is determined that SFA employees meet that broad FLSA definition, those employees must be compensated for the services they perform.

Volunteer (Unpaid) Internships

There are some circumstances whereby a student who participates in an internship or training program may do so without compensation. The determination of whether an internship or training program meets this exemption from pay depends upon all the facts and circumstances of each such program. The following six criteria must be applied when making this determination:

The student internship, even though it includes actual operation of the facilities, is similar to training which would be given in an educational environment (This often occurs where a college or university exercises oversight over the internship program and provides educational credit.);
The internship experience is for the benefit of the intern;
The intern does not displace regular employees, but works under close supervision of existing staff;
The employer that provides the training derives no immediate advantage from the activities of the intern, and on occasion its operations may actually be impeded;
The intern is not necessarily entitled to a job at the conclusion of the internship, and
The employer and the intern understand that the intern is not entitled to wages for the time spent in the internship.

- The extent to which the intern and the employer clearly understand that there is no expectation of compensation; any promise of compensation, express or implied, suggests that the intern is an employee—and vice versa;
- The extent to which the internship provides training that would be similar to that which would be given in an educational environment, including the clinical and other hands-on training provided by educational institutions;
- The extent to which the internship is tied to the intern’s formal education program by integrated coursework or the receipt of academic credit;
- The extent to which the internship accommodates the intern’s academic commitments by corresponding to the academic calendar;
- The extent to which the internship’s duration is limited to the period in which the internship provides the intern with beneficial learning;
• The extent to which the intern’s work complements, rather than displaces, the work of paid employees while providing significant educational benefits to the intern;
• The extent to which the intern and the employer understand that the internship is conducted without entitlement to a paid job at the conclusion of the internship.

If all the factors listed above are met, an employment relationship does not exist under the FLSA, and the minimum wage and overtime rules do not apply to the intern. The intern may be unpaid.

**Liability and Indemnification**

Volunteer interns are required to execute the intern release form or other form approved by the general counsel prior to the start of their internship. If the university intern is a minor, the form must be signed by a parent or legal guardian.

Volunteer interns at SFA are not covered under the university’s workers’ compensation insurance program and are encouraged to secure a personal health insurance policy.

Volunteer interns are prohibited from performing any of the following activities in the course and scope of their authorized activities:

- Operating heavy equipment;
- Operating university or state-owned vehicles (including golf carts) except with the express written permission of a university official;
- Working with hazardous materials, including stored energy (e.g. steam, electricity, hydraulics) prior to completing appropriate training from the Department of Environmental Health, Safety, and Risk Management; and
- Acting as a representative of the university, including but not limited to entering into any contract on behalf of the university, making public statements on behalf of the university, or incurring financial obligations.

**Safety Evaluations**

Any volunteer intern placement at SFA that requires services to be performed in a lab, health care facility, or any other setting where the intern may be exposed to hazardous materials, machinery, or health-related situations must be evaluated and approved by the director of environmental health, safety, and risk management, or their designee, prior to the commencement of the intern services. In such cases, safety training must be completed prior to the initiation of any activities with potential for hazardous materials exposure. Any plan or guidelines developed by the Department of Environmental Health, Safety, and Risk Management must be implemented and followed or the intern situation must terminate.

**Paid Internships**

There are advantages for providing compensation to the interns, such as:

- Being able to attract skilled interns;
Increasing intern commitment and reward for contribution;
Reducing financial burdens that may require a student to work a second job during their internship;
Providing flexibility for departments to allow intern to support duties and responsibilities of regular workers during peak periods.

A department that offers paid internships must fund or secure funding for those paid student internships. The hiring process must follow the same procedural and approval process used for other student assistant positions.

**Placements**

Departments wishing to place a student intern whether paid or unpaid must follow the procedures provided by the Department of Human Resources. Departments are allowed to partner with university schools and colleges to provide internships in fields of study applicable to the department.

**Policy Compliance**

Consistent with SFA’s policy on non-discrimination, university employees shall not illegally discriminate against interns on the basis of race, color, religion, national origin, sex, age, disability, genetic information, citizenship, veteran status, sexual orientation, gender identity, or gender expression.

Those who are selected for a student internship are required to submit to a criminal history check and complete any position specific training. All paid interns will complete appropriate new employee paperwork, and comply with appropriate procedures required by the Department of Human Resources.

**Placement of Relatives**

Neither a paid or unpaid intern can be supervised by a relative, nor can a family member make decisions about an internship placement or the terms and conditions of the placement (See policy 11.16, Nepotism).

**Issues for International Students**

International students seeking an internship need to obtain work authorization for paid internships, as well as any unpaid internships that do not qualify under the U.S. Department of Labor guidelines. Failure to do so could jeopardize a student’s visa status. Departments selecting an international student should check with the Department Office of International Programs before pursuing any internship for an international student to be sure of what authorization will be required.

**Responsibilities and Rights**

Interns shall abide by all university policies and external laws and regulations that govern their actions including, but not limited to, those relating to ethical behavior, safety, confidentiality,
protected health and student information, computer use, financial responsibility, and drug use.

**Termination**

An intern’s service may be terminated at any time and without prior notice whether the service is as a volunteer or paid.

---

**Cross Reference:** Discrimination Complaints (2.11); Nepotism (11.16); U.S. Department of Labor Wage and Hour Division Fact Sheet #71: Internship programs Under the Fair Labor Standards Act; Fair Labor Standards Act, 29 U.S.C. § 203(g)

**Responsible for Implementation:** Vice President for Finance and Administration

**Contact for Revision:** Human Resources

**Forms:** Student Internship Release Form

**Board Committee Assignment:** Academic and Student Affairs
Policy Name: Telecommuting - Renamed Telecommuting Arrangements for Staff Employees

Policy Number: 11.27

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 1/29/2019

Unit(s) Responsible for Policy Implementation: Human Resources

Purpose of Policy (what does it do): Establish guidelines and expectation for utilizing remote working arrangements.

Reason for the addition, revision, or deletion (check all that apply):

☐ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☑ Other, please explain: As a result of the COVID-19 pandemic, remote working arrangements have become more commonplace.

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: The substantive revisions:

Acknowledging the difference between occasional, non-routine remote work instances vs. routine teleworking arrangements. Reassign approval for teleworking agreements from the president to divisional vice presidents. Defines steps for termination of telecommuting agreement.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Danny Gallant, Vice President for Finance and Administration
Damon Derrick, General Counsel
Telecommuting Arrangements for Staff Employees

Original Implementation: January 29, 2019
Last Revision: July 21, 2020 None

Purpose

The purpose of this policy is to establish guidelines and expectations for utilizing short-term and long-term remote working and telecommuting options for staff employees at Stephen F. Austin State University (SFA) that optimizes costs, increases effectiveness and allows for efficient use of SFA resources and time.

Definitions

Telecommuting is an authorized work arrangement that involves an employee routinely working one or more days per week at a location that is not the regularly assigned work location. Telecommuting requires a formal agreement approved by the department head and division president or designee.

Remote Working is the occasional, non-routine, short-term (up to five consecutive business days) performance of an employee’s job duties at a location away from the employee’s regular work location, most often the employee’s home. Verbal or written approval by department head is required.

Regularly Assigned Work Location is a worksite on the university campus or on property under control of the university where an employee usually and customarily reports to work.

General

The university normally requires that work be performed on university property or property controlled by the university. In order to promote general work efficiencies, the university may permit or direct employees to work at alternate work locations when doing so serves the best interest of the university and is approved in advance as outlined in this policy. Remote working or telecommuting arrangements may be implemented as a means of supporting business continuity plans and supporting the hiring and retention of a highly competent workforce.

A remote working or telecommuting arrangement is considered a privilege and not an entitlement. All remote working arrangements must be approved by the department head, and telecommuting arrangements require a formal agreement approved by the department head and president or designee.

Telecommuting is not an SFA job entitlement. It is an option that must be requested by an employee, reviewed and approved by the department head, human resources, vice president and
Telecommuting agreements are subject to termination at any time due to performance concerns, employee discipline, a change in policy, law, or the needs of the university as interpreted by the department head, division head, or president. -Telecommuting agreements do not constitute an employment contract and end upon the employee’s separation of employment.

Telecommuting does not alter a staff employee’s relationship with the university, including responsibilities, salary, benefits, leave, nor expected hours of work.

Employees must complete and submit a Telecommuting Request form and, if approved, a Telecommuting Agreement. The criteria used by the approvers to determine if the position is appropriate for telecommuting includes but is not limited to the following considerations: Eligibility

To be eligible for remote working or telecommuting, an employee must:

a. Hold a position that, in the judgement of the department head and the division head, may be performed effectively from a remote location.
b. Be able to maintain confidentiality of information at a remote location.
c. Provide a remote workplace at which SFA equipment and work related materials will be safe and where required job duties can be performed.
d. Utilize appropriate secure equipment and software as prescribed by university information technology services, utilizing VPN to access category 2 or higher data.
e. Have the ability to perform job responsibilities with minimal supervision.
f. Have and maintain satisfactory performance in the judgement of the department head, as reflected in performance reviews or evaluations.

Positions ineligible for telecommuting are those that:

a. Require regular face-to-face contact with members of the SFA community or the public; or
b. Require routine access to information or materials only available at the regular work location.

1. The job duties of the position can be performed at a remote site without diminishing the quality of the work or disrupting the productivity of the department.
2. The confidentiality of information connected to the position and the ability to maintain confidentiality at a remote location will not be compromised.
3. A supervisor must have the ability to establish work expectations and a method to measure employee productivity.
4. A supervisor must establish the amount of time the employee is required to physically interact with other SFA staff.
5. A justification that provides a benefit to SFA, its customers, and other department employees.

The criteria used by approvers to evaluate an employee requesting consideration for a telecommuting arrangement.
option include but is not limited to whether the employee:

1. Consistently demonstrates satisfactory performance as noted on their last performance evaluation.
2. Demonstrates the ability to work with minimal supervision, ability to establish priorities and manage time effectively, and thorough knowledge of telecommuting work tasks.

Work Schedule and Hours

Telecommuting employees will work hours that comply with SFA policy 12.24 Working Hours and Holidays. Nonexempt telecommuting employees must maintain a 40-hour work week and will not be allowed to work in excess of 40 hours without prior approval from the department head. Exempt telecommuting employees must work the number of hours necessary to complete the requirements of the job, but no less than 40 hours per week. Telecommuting employees are not eligible to claim or earn state compensatory time unless it is approved in compliance with Texas Government Code, 659.018(b). Telecommuting employees must comply with all SFA policies and procedures.

Telecommuting employees must travel to campus to attend meetings and events as assigned by the department head.

Agreement and Approvals Required

A Staff Telecommuting Request and Agreement must be completed and signed by the employee, the department head, human resources, and the president or designee division.

Termination of Agreement

The university reserves the right to terminate the agreement with ten (10) business days’ notice if the university determines that the telecommuting arrangement no longer is in the best interest of the university. The university also reserves the right to terminate without a notice period for any violations of university policy, a violation of the conditions of the agreement, or when there is a relevant change in university policy or law.

When the agreement is terminated, the employee must promptly return all notes, data, reference materials, sketches, drawings, memoranda, reports, records, equipment, software, supplies, and any other university property in the employee’s possession or control.

The university shall not be held responsible for costs, damages, or losses associated with this agreement.

Provides a remote workplace at which SFA equipment and work related materials will be safe and where required job duties can be performed.
3. Complies with the university’s policy on Ethics (2.6).

4. The employee’s supervisor must ensure that the appropriate type of secure equipment and software necessary to perform the job is used. When SFA equipment, software, and supplies are used, personal use is restricted. If the telecommuting employee will be working with or dealing with category 2 or higher data, the employee must utilize the SFA VPN to work with the data.

The following constraints apply to the employee’s telecommuting work hours:

1. Telecommuting employees will work hours that comply with the work hours established by policy for all SFA employees as stated in Working Hours and Holidays policy (12.24). The employee’s schedule must be approved by his or her supervisor and must meet the operational needs of SFA.

2. Telecommuting employees are not eligible to claim or earn state compensatory time unless it is approved by the president in compliance with Texas Government Code, 659.018b.

A telecommuting agreement can be terminated at any time at the discretion of the supervisor for unsatisfactory performance, failure to adhere to SFA policies and procedures, disciplinary action, when no longer beneficial to SFA, and any other relevant reason.

Cross Reference: Tex. Gov’t Code §§ 658.010, 659.018(b); Ethics (2.6); Overtime and Compensatory Time (12.14); Working Hours and Holidays (12.24); Acceptable Use of Information Resources (14.2).

Responsible for Implementation: Vice President of Finance and Administration

Contact for Revision: Director of Human Resources

Forms: The Request for Approval of Telecommuting form and Telecommuting Agreement form, Staff Telecommuting Request and Agreement form is available on the human resources website, Employee tab of mySFA.

Board Committee Assignment: Academic and Student Affairs
Policy Name: undergraduate admissions and credits

Policy Number: 6.20

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 7/26/2016

Unit(s) Responsible for Policy Implementation: Enrollment Management

Purpose of Policy (what does it do): Defines undergraduate admission requirements and process.

Reason for the addition, revision, or deletion (check all that apply):
- Scheduled Review
- Change in law
- Response to audit finding
- Internal Review
- Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: 1) Update ApplyTexas language 2) Update language about student in top 10% admission 3) Added language about freshman applicants ranked in the top 25% of their class without a test score 4) adjusted language for TSI requirement for transient students 5) removed language about summer provisional transfer students eligibility for financial aid 6) provided overall language and organizational updates.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:
Erma Brecht, Executive Director of Enrollment Management
Scott Gordon, President
Damin Derrick, General Counsel
Undergraduate Admission and Credits

Original Implementation: September 8, 1978
Last Revision: July 26, 2021, 2020

Stephen F. Austin State University (SFA) encourages qualified students to apply for admission. Students seeking admission should make every effort to complete the appropriate procedures as soon as possible. Undergraduate application for admission, preliminary academic counseling and evaluation of previous college course work are available on campus in the Office of Admissions.

Application

Applicants wishing to apply for admission to the university must complete the Texas Common Apply Texas Application. It is strongly recommended that applicants apply by completing the electronic version of the Texas CommonApply Texas Application, which is available at www.applytexas.org.

All new and returning undergraduate applicants for admission are required to submit a non-refundable application fee of $45. The application fee for international students is $50.

FIRST-SEMESTER FRESHMEN

First-semester freshmen applicants are those who have graduated from high school and have not attended a college or university since high school graduation. Students who have earned college credits by way of Advanced Placement, International Baccalaureate, College Level Examination Program, dual credit or early college high school program while in high school participated in a high school dual credit program, concurrent enrollment program or early college high school program while in high school are considered first semester freshmen. Freshman applicants must submit: Depending upon a freshman applicant’s high school rank, official test results from the ACT or SAT exam may be required for admission review. Freshman applicants are required to submit ACT or SAT test results from either the ACT or the SAT results for scholarship review.

High School Preparation

SFA requires first time freshman applicants to have completed the Recommended High School Program, the Distinguished Achievement Program, and Endorsement Program with Algebra II or Distinguished with Endorsement Program to ensure they have received adequate preparation for college-level work. Applicants who have not completed one of these programs will need to demonstrate that they have completed a high school curriculum more rigorous than what is required of the Minimum Graduate Plan, Basic Plan or Foundation Plan. Applicants from accredited private high schools and out-of-state high schools will be required to complete a curriculum similar to the Recommended High School Program, Distinguished Achievement Program, or Endorsement Program with Algebra II or Distinguished with Endorsement Program.
Admission Requirements

Applicants for admission to SFA will be required to meet the following class rank and minimum test scores:

<table>
<thead>
<tr>
<th>High School Rank</th>
<th>SAT Reasoning Score</th>
<th>ACT Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st quarter</td>
<td>(Not including writing)</td>
<td>(Not including writing)</td>
</tr>
<tr>
<td>Top 10%</td>
<td>No minimum score</td>
<td>No minimum score</td>
</tr>
<tr>
<td>11-25% Top 25%</td>
<td>850 No minimum score</td>
<td>17 No minimum score</td>
</tr>
<tr>
<td>2nd quarter</td>
<td>950/1030</td>
<td>20</td>
</tr>
<tr>
<td>3rd quarter</td>
<td>1100/1170</td>
<td>24</td>
</tr>
<tr>
<td>4th quarter</td>
<td>File review</td>
<td>File review</td>
</tr>
</tbody>
</table>

Students are required to submit the SAT Reasoning Test with writing scores or the ACT with writing scores. At this time, admission requirements do not include writing scores.

Review Process

The admission files of applicants who do not have a minimum of the Recommended High School Program, Distinguished Achievement Program, Endorsement Program with Algebra II, or distinguished with Endorsement Program and those who do not meet the rank-in-class and test score requirements will be individually reviewed. Admission will be offered to those applicants who demonstrate potential for academic success. It is recommended that applicants complete Part II of the Texas Common Apply Texas Application, as this information will assist with the review process. Factors used in the review process include an applicant’s high school record to include high school preparation, class rank, curriculum rigor, and standardized test score on the SAT or ACT. Additional factors such as high school activities, responsibilities while attending high school, bilingual proficiency and region of residence will also be taken into consideration. Admission will be granted to students who have been awarded a competitive scholarship of $500 or more by an official SFA scholarship committee or a designated representative charged with identifying the eligible student(s) that best fit the criteria for a particular competitive scholarship.

Graduates of Home School and GED Recipients

In compliance with Texas Senate Bill 1543, applicants who graduate from home school or receive a General Education Development certificate will be assigned a class rank comparable to the average class rank of other applicants who have equivalent ACT or SAT scores. Home-schooled applicants must submit official SAT or ACT scores and an official notarized academic transcript. The Office of Admissions has a notary on staff who can notarize transcripts free of charge. GED applicants must submit official GED scores and SAT or ACT scores. Applicants who meet rank and score requirements will be admitted. Like all other applicants, if rank and score requirements are
not met, a holistic review will be performed. Those applicants who exhibit probability of success may be admitted based on the review.

**Graduates of Non-Ranking and Non-Accredited High Schools**

Those applicants who graduate from non-ranking high schools and non-accredited high schools will be assessed on an individual basis. Any student attending a non-accredited high school must submit an official high school transcript and official SAT or ACT scores. Applicants whose academic background indicates probability of success may be admitted.

Freshman applicants who have attempted college-level courses while in high school must earn a 2.0 minimum GPA on all attempted transferable college course work. Failure to do so may result in the imposition of academic probation during the first semester of enrollment or the withdrawal of the SFA admission offer.

Other than the Dual Credit Program, SFA does not admit any applicant for any semester that begins prior to the graduation of her/his high school class.

**Graduates of Non-Ranking and Non-Accredited High Schools, Home-schooled Students and GED Recipients**

Those applicants who graduate from non-ranking high schools, non-accredited high schools, or who are home schooled or received a General Education Development (GED) certificate, will be assessed on an individual basis. Any student attending a non-accredited high school must submit an official high school transcript and official SAT or ACT scores. Home-schooled applicants must submit official SAT or ACT scores and academic records of their high school curriculum. GED applicants must submit official GED scores and SAT or ACT scores. Applicants whose academic background indicates probability of success may be admitted.

Freshman applicants who have attempted college-level courses while in high school must earn a 2.0 minimum GPA on all attempted transferable college course work. Failure to do so may result in the imposition of academic probation during the first semester of enrollment or the withdrawal of the SFA admission offer.

Other than the Concurrent Enrollment Program, SFA does not admit any applicant for any semester that begins prior to the graduation of his/her high school class.

**Non-Traditional/Mature Students**

Applicants who have not attended high school in the previous five years or who have not attended college for an extended period of time may apply for mature student admission. Eligibility for admission will be based on the ability to succeed at SFA utilizing individual educational, work and
personal life experiences. Military service veterans with honorable or general discharges are eligible to apply for mature student admission. Applicants who did not graduate from high school are required to submit official GED scores.

TRANSFER STUDENTS

Students applying to Stephen F. Austin State University (SFA) who have attended accredited institutions of higher education must apply as transfer students.

Transfer applicants must have a cumulative 2.0 grade point average (GPA) (using a 4.0 scale) on all transferable work attempted [see Course Grades (5.5)]. Transfer applicants who have completed fewer than 15 semester hours of transferable college credit must have the required cumulative 2.00 GPA and must also satisfy eligibility requirements for first-semester freshmen. Transfer applicants who have completed attempted 15 or more semester hours must have the required 2.00 GPA and must not be on academic suspension.

Although transfer students with less than a 2.0 grade point average are not eligible for admission into the fall or spring semesters, those who are not currently on academic suspension at another institution are eligible for provisional admission to a summer term. Summer provisional students may be eligible to enroll for subsequent semesters if they complete nine semester hours of non-developmental coursework as approved by their academic dean and earn at least a 2.0 grade point average on all work attempted.

Applicants who are denied admission as transfer students may appeal the admission decision through the Transfer Appeals Program in the Office of Admissions. Appeals are reviewed by the Admission Appeals Committee. Following the review of an appeal, the committee submits a recommendation to the executive director of enrollment management for final decision.

Students admitted through this procedure are assigned to the Academic Advising Student Success Center for advisement.

Transfer Credits

The university accepts transfer credit from accredited institutions and online course programs on a course-by-course basis as determined by the Office of Admissions. All courses are examined in terms of content, level, and credit hours awarded, and are subject to the following conditions:

- An SFA course prefix and number are assigned when the content of the transfer course is equivalent, and when the course was taught on the same level.
- General en bloc credit is assigned to a course that is transferable but is not an exact equivalent by level or by description. In this case, the credit is awarded on the same level as was attempted at the transferring institution, and the student’s academic dean will determine its acceptability into applicability toward the intended degree programs.
• Most academic credit is transferable with the exception of remedial or developmental courses. Some departments may limit the number of credit hours that may be applied toward a degree.
• A maximum of 66 academic hours plus four hours of kinesiology activity from junior or community colleges may apply toward a degree, unless an exception has been granted by the provost and vice president for academic affairs.
• Courses transferred from a community college may be transferred only as a lower-level course and may not be considered as advanced upper-level credit.

There is no limit for undergraduate credits transferred from four-year institutions. At the graduate level, no more than 12 credit hours may be transferred; however, the total number of transferable hours may vary by program.

All undergraduate students must complete a minimum of 42 semester hours including 36 hours of advanced credit at SFA in order to earn a bachelor’s degree. The Registered Nurse – Bachelor of Science in Nursing (RN-BSN) degree requires 30 semester hours in residence, all of which must be advanced (300–400 level). Graduate students must complete a minimum of 18 course credits at SFA that apply to their graduate degree.

Course work earned from educational experience obtained in the armed forces is accepted in transfer on a limited basis. The "Guide to the Evaluation of Educational Experience in the Armed Services" is used by the Office of Admissions for evaluating military credit. Military transcripts such as the AARTS, SMART, Community College of the Air Force and the Coast Guard Institute, and the joint services transcript are used in the evaluation review process.

Credit for vocational/technical courses, experiential learning and professional certification programs can be used in the Bachelor of Applied Arts and Sciences degree program or programs articulation agreements approved by the provost and vice president for academic affairs.

Students may repeat courses taken at SFA at other accredited institutions. Transfer hours will, however, be governed by the following rules:

1. The grades earned at SFA will remain on the transcript.
2. The hours attempted at SFA will not be changed as a result of course work completed elsewhere.
3. Transfer credit for a course originally taken at SFA has no effect on the grade point average for work attempted at SFA. Only credit hours transfer; grades for courses do not transfer.
4. Transfer hours of repeated work may be used to satisfy degree requirements other than those related to grade point average.

FORMER STUDENTS

Students who have previously attended SFA and who have not enrolled for the previous fall or spring semester must satisfy the following re-enrollment requirements:

1. Submit a completed Texas Common Applicant Texas Application for Former Students with a $45 non-refundable application fee.
2. Submit official transcripts from all post-secondary educational institutions attended since last enrolled at SFA.

Former students must have earned a 2.0 GPA on all transferable coursework completed at other institutions since their last enrollment at SFA. Students currently on academic suspension from other institutions are not admissible.

**PROVISONAL ADMISSION PROGRAMS**

First-semester freshman applicants not meeting the admission requirements may become eligible for regular admission by enrolling in the Summer Pathways JacksPASS Program. More information about the program may be obtained from the Office of Admissions.

Transfer students with less than a 2.0 GPA who are not currently on academic suspension at another institution are eligible for provisional admission to the Summer Provisional Program. Students who complete nine semester hours (excluding developmental courses) of work in Summer I and Summer II semesters combined and earn at least a 2.0 GPA on all work attempted may be eligible to enroll for the fall semester. The nine hours taken must be approved by the appropriate academic dean before courses begin. Summer Provisional students are not eligible for financial aid.

Students returning to SFA with transfer coursework with less than a 2.0 GPA and are not currently on suspension from SFA or another institution also are eligible for the Summer Provisional Program.

Students who do not successfully complete the Summer Provisional Program as specified by their academic dean may only be re-admitted to SFA upon presentation of academic credits transferred from all post-secondary institutions attended for which the overall GPA is 2.0 or higher. Calculation of this GPA will be based on all non-SFA academic credits earned; it will include credit earned both before and after participation in the SFA Summer Provisional Program.

**TRANSIENT STUDENTS**

Transient (or visiting) students planning to attend fall, spring, summer I or summer II are required to submit a completed undergraduate application, the $45 application fee for new students and official transcripts from all educational their current or last institutions attended. Students must be in good academic standing at the last institution attended in order to be eligible for admission as transient students. Student currently on suspension from another educational institution are not eligible for admission as transient students. Transient students are subject to all applicable SFA probation/suspension policies. Transient students from other Texas state supported schools must submit official THEA scores and are subject to the provisions of the Texas Success Initiative may be waived from TSI requirements while non-degree seeking. Transient students who later decide to continue their academic studies at SFA must apply and meet the admission requirements as a transfer student. Beginning freshman students cannot apply as transient students.
Policies and procedures of the Texas Higher Education Coordinating Board and other applicable accreditation bodies will be followed regarding transfer of core curriculum courses, fields of study courses, and any transfer credit disputes.

**Cross Reference:** General Bulletin; Graduate Bulletin; Course Grades (5.5); *In-Residence Requirement* (6.15); *Tex. Educ. Code § 51.9241*

**Responsible for Implementation:** Provost and Vice President for Academic Affairs; Executive Director of Enrollment Management

**Contact for Revision:** Provost and Vice President for Academic Affairs; Dean of the Graduate School; Executive Director of Enrollment Management

**Forms:** None

**Board Committee Assignment:** Academic and Student Affairs
Policy Name: Use of Amplified Sound on Campus Grounds

Policy Number: 16.31

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 7/1/2017

Unit(s) Responsible for Policy Implementation: Vice President for University Affairs

Purpose of Policy (what does it do): Outlines practices for application of amplified sound.

Reason for the addition, revision, or deletion (check all that apply):
- [x] Scheduled Review
- [ ] Change in law
- [ ] Response to audit finding
- [ ] Internal Review
- [ ] Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision:

Specific rationale for deletion of policy:

Additional Comments:

No Changes.

Reviewers:

Steve Westbrook, Vice President for University Affairs
Damon Derrick, General Counsel
Use of Amplified Sound on Campus Grounds

Original Implementation: September 17, 1982
Last Revision: July 215, 2020

Application to use amplified sound on campus shall be made to the Office of Student Engagement at least 48 hours in advance of the proposed use. In general, amplified sound equipment will not be approved for use on campus grounds if such use would be disruptive to the learning and work environment. Amplified sound will not be approved before 8:00 p.m. or after 11:00 p.m., Monday through Friday, or anytime classes are in session, unless approved by the dean of student affairs, or designee.

This rule does not apply to the university and its agents, servants, or employees, acting in the course and scope of their agency or employment; nor does it apply to the Stephen F. Austin State University Alumni Association or the Stephen F. Austin State University Foundation.

Cross Reference: SFA Web pages None

Responsible for Implementation: Vice President for University Affairs

Contact for Revision: Dean of Student Affairs

Forms: Reservation for Campus Grounds

Board Committee Assignment: Building and Grounds
POLICY SUMMARY FORM

Policy Name: Volunteer Workers

Policy Number: 11.32

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 7/25/2017

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): This policy is designed to provide guidance and conditions on the university’s use of volunteers, reduce volunteer risk and protect the interest of the university, its volunteers, and the community.

Reason for the addition, revision, or deletion (check all that apply):

☑ Scheduled Review ☐ Change in law ☐ Response to audit finding

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for each substantive revision: N/A

Specific rationale for deletion of policy: N/A

Additional Comments:

Minor formatting changes

Reviewers:

Danny Gallant, Vice President for Finance and Administration
Damon Derrick, General Counsel
Volunteer Workers

Original Implementation: July 29, 2014
Last Revision: July 21, 2020

Purpose

This policy is designed to provide guidance and conditions on the university’s use of volunteers, reduce volunteer risk, and protect the interest of the university, its volunteers, and the community it serves.

Definition

A volunteer, according to the U.S. Department of Labor, is an individual who performs services for a public agency for civic, charitable, or humanitarian reasons, without promise, expectation, or receipt of compensation for services rendered. The individuals shall be considered volunteers only where their services are offered freely and without pressure or coercion, direct or implied, from an employer.

For SFA, a “university volunteer” is defined as any uncompensated individual who is authorized by a university department to perform humanitarian, charitable or public services on behalf of the university.

General

Any individual is eligible to serve as a university volunteer, subject to the following eligibility requirements:

- The individual must have adequate experience, qualifications, and training for the task(s) he or she will be asked to perform as a university volunteer.
- Mandatory cash and receipts training is required of all volunteers whose job duties include the acceptance, record keeping, and deposit of university receipts.
- All required training for volunteer positions must be current at the time volunteer work is performed.
- A current employee of SFA may not serve as a university volunteer in any capacity in which he or she is employed at the university, or which is essentially similar to or related to the individual’s regular work at the university. A current employee may volunteer for special events, such as United Way events, commencement, Showcase Saturdays, and other similar events.
- An individual who is under the age of eighteen (18) may only become a university volunteer with the written consent of a parent or legal guardian. Volunteer opportunities for minors are limited to only non-hazardous environments and activities. The sponsoring department must contact human resources for approval prior to the minor being permitted to volunteer.
- An individual who will be working with sensitive populations or who will have access to cash, checks, or other forms of liquid assets for the university may only become a university volunteer after the completion of a satisfactory background check. Human resources will
initiate the background check upon request of the sponsoring department and after receipt of a consent form signed by the potential volunteer. The sponsoring department is responsible for the cost of the background check.
   o “Sensitive populations” are individuals under 18 years of age and other individuals entitled to enhanced supervision or protection based on university practice or state or federal law.
   o Those volunteers who are authorized to accept funds for university business must have written approval from the bursar and follow the Receipts and Deposits policy.

Responsibilities and Rights

University volunteers shall abide by all university policies and external laws and regulations that govern their actions including, but not limited to, those relating to ethical behavior, safety, confidentiality, protected health and student information, computer use, financial responsibility, and drug use.

University volunteers are not covered by the Fair Labor Standards Act and are not considered SFA employees for any purpose. Therefore, university volunteers are not eligible for compensation or any university benefits as a result of their volunteer association with SFA.

Prohibited Activities

University volunteers are prohibited from performing any of the following activities in the course and scope of their authorized activities:

- Operating heavy equipment;
- Operating university or state-owned vehicles (including golf carts) except with the express written permission of a university official;
- Working with hazardous materials, including stored energy (e.g. steam, electricity, hydraulics); and
- Acting as a representative of the university, including but not limited to entering into any contract on behalf of the university, making public statements on behalf of the university, or incurring financial obligations.

Liability and Indemnification

University volunteers are required to execute the volunteer release form or other form approved by the general counsel, prior to the start of their volunteer service. If the university volunteer is a minor, the form must be signed by a parent or legal guardian.

University volunteers are not covered under the university’s workers’ compensation insurance program and are encouraged to secure a personal health insurance policy.

Sponsorship, Supervision, and Documentation

All university volunteers must be sponsored, supervised, and documented by their sponsoring
university department.

When engaging the services of an eligible university volunteer, it is the department’s responsibility to make sure the volunteer meets all of the eligibility requirements, as stated above, and to adhere to any procedures developed by human resources implementing this policy.

All documentation related to a university volunteer’s service, including the volunteer release form, must be maintained for the applicable retention period as specified in the university retention schedule.

Consistent with SFA’s policy on non-discrimination university employees shall not unlawfully discriminate against volunteers on the basis of race, color, religion, national origin, sex, age, disability, genetic information, citizenship, veteran status, sexual orientation, gender identity, or gender expression.

**Termination**

A university volunteer’s service may be terminated at any time and without prior notice.

**Cross Reference:** Fair Labor Standards Act (FLSA), 29 U.S.C. § 203(e)(4)(a); 29 C.F.R. § 553.101, .103; 29 C.F.R. Part 570; Tex. Educ. Code § 51.937; Tex. Gov’t Code Ch. 2109; Discrimination Complaints (2.11); Receipts and Deposits (3.26)

**Responsible for Implementation:** Vice President for Finance and Administration

**Contact for Revision:** Human Resources

**Forms:** Release and Indemnification Agreement for Volunteers; Background Check – Disclosure Consent Form

**Board Committee Assignment:** Academic and Student Affairs
Policy Name: Wellness Release Time

Policy Number: 13.25

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 7/25/2017

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): The policy establishes wellness release time and the requirements to participate.

Reason for the addition, revision, or deletion (check all that apply):
- [x] Scheduled Review
- [ ] Change in law
- [ ] Response to audit finding
- [ ] Internal Review
- [ ] Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for each substantive revision: N/A

Specific rationale for deletion of policy: N/A

Additional Comments:

Minor wording and formatting changes

Reviewers:

Danny Gallant, Vice President for Finance and Administration
Damon Derrick, General Counsel
Wellness Release Time

Original Implementation: July 29, 2014
Last Revision: July 21, 2020

Purpose

The Stephen F. Austin State University employee wellness program is designed to benefit full-time employees who have completed at least six (6) months with the university and is a voluntary program of physical exercise and wellness activities designed to improve the health and well-being of employees.

General

As part of the employee wellness program, the university will provide wellness release time which provides full-time, benefits-eligible employees 30 minutes of release time during normal work hours up to three (3) times a week for participation in physical exercise and wellness activities offered at the campus recreation center, employee wellness program locations, or walking on campus. Off-campus activities are not included unless sponsored by the employee wellness program.

Prior to participation in release time, the employee must complete the employee wellness participant profile, including the waiver of liability and hold harmless agreement in full. Employees should consult with a physician before undertaking any physical activity program.

Wellness release time is paid time, does not have to be made up, cannot be accrued, and may not be split or carried over from one day to another. Those employees using the time-clock system will be required to enter the appropriate task code for their release time. Wellness release time will not be counted toward Fair Labor Standards Act (FLSA) overtime.

Each fiscal year (no later than September 30), or when transferring to a new position, employees must secure approval from their immediate supervisors and/or department heads prior to participation.

Immediate supervisors and department heads are expected to make reasonable efforts to accommodate requests for wellness release time. However, it must be recognized that participation may be disapproved if it is determined that the workflow and operation of the employee’s department will be negatively impacted by the employee’s absence due to participation in release time. If an application is denied, the supervisor or department head will indicate the reason(s) for the denial.

Abuse of the privilege to participate in release time will subject the employee to revocation of the privilege and/or disciplinary action. Supervisors have the right to review records of employees’ utilization of the campus recreation center and the employee wellness program to verify hours of involvement.
Cross Reference: Tex. Gov’t Code § 664.061

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Director of Human Resources

Forms: Wellness Release Time Approval Form

Board Committee Assignment: Academic and Student Affairs
POLICY SUMMARY FORM

Policy Name: Year-end Purchasing

Policy Number: 17.24

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 7/25/2017

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): This policy establishes rules and regulations that apply to Procurement and Property Services year-end processing of transactions.

Reason for the addition, revision, or deletion (check all that apply):

- [x] Scheduled Review
- [ ] Change in law
- [ ] Response to audit finding
- [ ] Internal Review
- [ ] Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for each substantive revision: N/A

Specific rationale for deletion of policy: N/A

Additional Comments:

Minor wording changes to policy.

Reviewers:

Danny Gallant, Vice President for Finance and Administration
Damon Derrick, General Counsel
Appendix 2

Year-end Purchasing

Original Implementation: April 5, 1984
Last Revision: July 21, 2020

Purpose

This policy establishes rules and regulations that apply to Procurement and Property Services year-end processing of transactions.

General

The state fiscal year is September 1 through August 31 and the following rules and regulations apply to year-end transaction processing.

Consumables/expendable supply items are to be charged to the fiscal year in which they are delivered. The cost of consumable supplies ordered in one fiscal year and delivered in the next fiscal year may be charged to the prior year only if the following conditions exist:

1. delay causing delivery in the later fiscal period was beyond the university’s reasonable control;
2. delivery could have reasonably been expected to occur during the fiscal year in which the order was placed; and
3. the quantity ordered could have been consumed during the fiscal year in which it was ordered had delivery occurred as originally anticipated.

Services are to be charged to the fiscal year in which they are provided.

Capital equipment purchases (non-consumable with a useful life of more than one year) are to be charged to the fiscal year in which they are ordered, except that capital purchases may be charged to the year of delivery as long as the appropriation for the year in which delivery will occur exists, (General Appropriations Act has been signed by the governor) and payment is not made prior to September 1 of the new fiscal year. Payments under a lease-purchase agreement are to be charged to the fiscal year in which the payment is made.

Subscriptions, maintenance contracts, post office box rentals, insurance, internet connections and surety or honesty bonds are chargeable to the fiscal year in which they begin and may be paid in full from that fiscal year regardless of whether the purchase covers more than one fiscal year. This rule supersedes other rules relating to consumable items, services, or capital equipment.

Seminar and conference expenses related to conducting or attending the same are to be paid from the fiscal year in which the seminar or conference occurs, unless it is determined to be cost-effective to use current fiscal year funds to pay for conducting or attending a seminar or conference that will occur partly or entirely during a different fiscal year. This rule supersedes other rules relating to consumable items, services, or capital equipment.
Utility services are to be charged to the fiscal year in which the service is provided except that a prior fiscal year may be used to pay for September services of the next fiscal year. This rule supersedes other rules relating to consumable items, services, or capital equipment. Utility service is defined in the Texas State Comptroller’s eXpendit website.

A combined purchase of at least two consumable items, services and capital assets should follow the year-end rules according to the dominant purpose of the contract.

A purchase option that is contractually exercised to purchase a consumable item, service, or capital equipment should follow the year-end rules according to the good or service for which the option is exercised.

Department Notification

The purchasing department establishes and notifies departments of deadlines for receipt of approved requisitions for the current fiscal year to comply with state guidelines and allow adequate order processing time for current year orders.

Requisitions received prior to the established deadline dates will be processed on current fiscal year funds unless properly identified as a next fiscal year requisition following the instructions provided by Procurement and Property Services. Requisitions received after the established deadline dates will be processed on next fiscal year funds.

Exceptions

Exceptions to the established deadline dates will be made if necessary to comply with year-end guidelines established by the state comptroller or for emergency reasons. The director of procurement may use discretion in the best interest of the university when applying or exempting the established deadlines or above rules when using non-appropriated funds.

Cross Reference: 34 Tex. Admin. Code § 5.56; Texas State Comptroller eXpendit website

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Director of Procurement & Property Services/HUB Coordinator

Forms: None

Board Committee Assignment: Finance and Audit
SFASU DEPARTMENT OF AUDIT SERVICES
FIVE YEAR AUDIT PLAN

For fiscal year 2021, allocable time after consideration of leave time is 7,663 audit hours.

Audit Services resources are divided among risk-based audits, information technology audits, required audits, special projects, investigations, meetings, committee service, department activities, and audit administration. Audits are scheduled below in a five year audit plan. These audits are a combination of financial, compliance, operational, efficiency, effectiveness, and fraud audits.

<table>
<thead>
<tr>
<th>Audit Projects</th>
<th>2021</th>
<th>2022</th>
<th>2023</th>
<th>2024</th>
<th>2025</th>
</tr>
</thead>
<tbody>
<tr>
<td>Audit Assistance to Oversight Agencies</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Public Funds Investment Act (biennial)</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Texas Administrative Code 202 (biennial)</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Charter School (annual)</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>National Collegiate Athletic Association (annual)</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Follow-Up</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Contract Management and Procurement (annual)</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Benefits Proportionality by Fund *</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Safety and Security Audit (triennial)</td>
<td>X</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Southern Association of Colleges and Schools</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Facilities Audit (every five years)</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Departmental Audits</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Risk Based and Other Audits</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
</tbody>
</table>

* Higher education institutions must consider audits of benefit proportionality when developing their annual internal audit plans for fiscal years 2020 and 2021.

Details are included in the fiscal year 2021 audit plan. Any changes to the 2021 audit plan will be made in accordance with the Audit Charter.
<table>
<thead>
<tr>
<th>PROJECT</th>
<th>HIGH LEVEL DESCRIPTION</th>
<th>HOURS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Financial, Compliance, Efficiency &amp; Effectiveness Audits</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Construction Audit</td>
<td>Review compliance with regulations, contract provisions, and perform fraud assessment</td>
<td>400</td>
</tr>
<tr>
<td>Contract Management and Procurement Audit</td>
<td>Review compliance with contracting requirements</td>
<td>120</td>
</tr>
<tr>
<td>Departmental Audits</td>
<td>Review for compliance with various regulations</td>
<td>557</td>
</tr>
<tr>
<td>Expenditure Audit</td>
<td>Review controls, compliance with policies and regulations, and perform fraud assessment procedures</td>
<td>400</td>
</tr>
<tr>
<td>External Audit Assistance</td>
<td>Provide assistance to external firms performing audit services for NCAA, SFASU Charter School, Perkins Close-Out, SACS Review, and other external audits</td>
<td>145</td>
</tr>
<tr>
<td>Facilities Audit</td>
<td>Review and test compliance with THECB requirements</td>
<td>100</td>
</tr>
<tr>
<td>Investment Audit</td>
<td>Verify compliance with PFIA for operating investments</td>
<td>150</td>
</tr>
<tr>
<td>Payroll Audit</td>
<td>Review controls, compliance with policies and regulations, and perform fraud assessment</td>
<td>500</td>
</tr>
<tr>
<td><strong>Information Technology Audits and Projects</strong></td>
<td>Perform Texas Administrative Code Section 202 audits and other IT audits and projects.</td>
<td>600</td>
</tr>
<tr>
<td><strong>Follow-Up Audits</strong></td>
<td>Obtain representations from management regarding status and perform verification as necessary</td>
<td>750</td>
</tr>
<tr>
<td><strong>Other Activities</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Continuous Auditing</td>
<td>Perform regular auditing procedures</td>
<td>500</td>
</tr>
<tr>
<td>Fraud &amp; Ethics Program Projects and Investigations</td>
<td>Facilitate university anonymous reporting system; Perform investigations and projects</td>
<td>350</td>
</tr>
<tr>
<td>Special Projects</td>
<td>Perform special projects based on requests from the Board of Regents, Administration, or others; Provide audit assistance to state and federal oversight agencies such as Texas State Auditor's Office, The Higher Education Coordinating Board, Texas State Comptroller's Office, and grant agencies</td>
<td>300</td>
</tr>
<tr>
<td><strong>Meetings and Committee Service</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other University Meetings/Events</td>
<td>Attend other meetings and events</td>
<td>80</td>
</tr>
<tr>
<td>Administrative Meetings, Regent Meetings, and Events</td>
<td>Preparation and attendance of meetings and events</td>
<td>250</td>
</tr>
<tr>
<td>University Committees, Meetings, and Service</td>
<td>Serve as advisory member of Compliance and other committees</td>
<td>80</td>
</tr>
<tr>
<td><strong>Department Activities</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Annual Audit Plan and Report</td>
<td>Prepare annual audit plan and report</td>
<td>40</td>
</tr>
<tr>
<td>Annual Risk Assessment</td>
<td>Facilitate annual university risk assessment</td>
<td>80</td>
</tr>
<tr>
<td>Quality Assurance</td>
<td>Perform internal quality procedures and assessments, participate on assessment teams, and update audit manual</td>
<td>100</td>
</tr>
<tr>
<td>Records Management</td>
<td>Maintain file system and records for department</td>
<td>80</td>
</tr>
<tr>
<td>Software Maintenance and Training</td>
<td>Teammate, ACL, and other software</td>
<td>250</td>
</tr>
<tr>
<td>Professional Development and Travel</td>
<td>Professional development, training, and travel</td>
<td>320</td>
</tr>
<tr>
<td>Staff Meetings</td>
<td>Regular staff meetings</td>
<td>489</td>
</tr>
<tr>
<td>General and Administrative</td>
<td>Administration (planning, purchasing, payroll, scheduling, reporting, etc.)</td>
<td>672</td>
</tr>
<tr>
<td>General and Administrative GA</td>
<td>Graduate Assistant help with administrative work</td>
<td>350</td>
</tr>
<tr>
<td><strong>Total Allocated Hours</strong></td>
<td></td>
<td>7,663</td>
</tr>
</tbody>
</table>
### Stephen F. Austin State University
#### Fiscal Year 2021 Audit Plan

<table>
<thead>
<tr>
<th>PROJECT</th>
<th>HIGH LEVEL DESCRIPTION</th>
<th>HOURS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Hours Per Year</td>
<td>Total 2021 Budgeted positions: 4.5</td>
<td>9,116</td>
</tr>
<tr>
<td>Less estimated leave:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sick</td>
<td></td>
<td>(320)</td>
</tr>
<tr>
<td>Vacation</td>
<td></td>
<td>(413)</td>
</tr>
<tr>
<td>Holidays</td>
<td></td>
<td>(480)</td>
</tr>
<tr>
<td>Wellness</td>
<td></td>
<td>(240)</td>
</tr>
<tr>
<td><strong>Total Available Hours</strong></td>
<td></td>
<td><strong>7,663</strong></td>
</tr>
</tbody>
</table>
## Higher Education Funds
### Fiscal Year 2020-21

<table>
<thead>
<tr>
<th>Appropriation</th>
<th>Fund Balance</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY 2021 Higher Education Fund (HEF) Appropriation</td>
<td>11,277,793</td>
<td>11,277,793</td>
</tr>
<tr>
<td>HEF Fund Balance</td>
<td>940,277</td>
<td>940,277</td>
</tr>
<tr>
<td>Total Funds Available</td>
<td>12,218,070</td>
<td>12,218,070</td>
</tr>
</tbody>
</table>

### Higher Education Fund Allocation

#### Debt Service
- **Debt Service Welcome Center**: 691,021
- **Debt Service Fine Arts**: 1,966,752
- **Debt Service Energy Conservation Plan Phase 1**: 421,477
- **Debt Service Energy Conservation Plan Phase 2**: 331,741
- **Debt Service Energy Conservation Plan Phase 3**: 765,390
- **Total Debt Service**: 4,176,381
  - 4,176,381

#### Capital Outlay
- **Music/Boynton Building Chiller and Hydroponic Piping**: 1,059,723
- **Education & General Roofing Replacement**: 600,000
- **Library Materials**: 1,111,302
- **Anatomy & Physiology Science and Lab Equipment**: 75,000
- **School of Music Instruments**: 66,578
- **Mass Communication Newsroom System**: 35,000
- **University Police Department Dispatch Equipment**: 244,811
- **Campus Safety Camera Equipment**: 181,000
- **University Police Department Vehicles**: 46,820
- **Enterprise Resource Planning (ERP) System Hardware**: 454,000
- **Cloud-Based Software**: 1,592,178
- **Log Rhythm Server**: 135,000
- **Annual Server Infrastructure Refresh**: 250,000
- **Annual Computer Refresh**: 750,000
- **Network Access Control**: 250,000
- **Workload and File Disk Storage**: 250,000
- **Total Capital Outlay**: 7,101,412
  - 940,277
  - 8,041,689

#### Total Higher Education Fund Allocation
- **Total Higher Education Fund Allocation**: 11,277,793
  - 940,277
  - 12,218,070
<table>
<thead>
<tr>
<th>CRN</th>
<th>prefix</th>
<th>course #</th>
<th>section #</th>
<th>course name</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>50187</td>
<td>BIO</td>
<td>133L</td>
<td>916</td>
<td>Principles of Zoology Lab</td>
<td>$0</td>
</tr>
<tr>
<td>30414</td>
<td>BIO</td>
<td>121L</td>
<td>916</td>
<td>Concepts of Biology Lab</td>
<td>$0</td>
</tr>
<tr>
<td>30418</td>
<td>BIO</td>
<td>131L</td>
<td>916</td>
<td>Principles of Botany Lab</td>
<td>$0</td>
</tr>
<tr>
<td>30420</td>
<td>BIO</td>
<td>238L</td>
<td>916</td>
<td>Human Anat &amp; Phys I Lab</td>
<td>$0</td>
</tr>
<tr>
<td>30421</td>
<td>BIO</td>
<td>238L</td>
<td>917</td>
<td>Human Anat &amp; Phys I Lab</td>
<td>$0</td>
</tr>
<tr>
<td>30681</td>
<td>BIO</td>
<td>238L</td>
<td>918</td>
<td>Human Anat &amp; Phys I Lab</td>
<td>$0</td>
</tr>
<tr>
<td>31174</td>
<td>BIO</td>
<td>308L</td>
<td>916</td>
<td>Prenursing Microbiology Lab</td>
<td>$0</td>
</tr>
<tr>
<td>31225</td>
<td>BIO</td>
<td>313L</td>
<td>916</td>
<td>General Ecology Lab</td>
<td>$0</td>
</tr>
<tr>
<td>40629</td>
<td>BIO</td>
<td>123L</td>
<td>916</td>
<td>Human Biology Lab</td>
<td>$0</td>
</tr>
<tr>
<td>41307</td>
<td>BIO</td>
<td>125L</td>
<td>916</td>
<td>Prin of Ecology &amp; Evolution Lab</td>
<td>$0</td>
</tr>
<tr>
<td>40105</td>
<td>BIO</td>
<td>239L</td>
<td>916</td>
<td>Human Anat &amp; Phys II Lab</td>
<td>$0</td>
</tr>
<tr>
<td>41523</td>
<td>BIO</td>
<td>239L</td>
<td>917</td>
<td>Human Anat &amp; Phys II Lab</td>
<td>$0</td>
</tr>
<tr>
<td>41727</td>
<td>BIO</td>
<td>239L</td>
<td>918</td>
<td>Human Anat &amp; Phys II Lab</td>
<td>$0</td>
</tr>
<tr>
<td>40882</td>
<td>BIO</td>
<td>341L</td>
<td>916</td>
<td>Genetics Lab</td>
<td>$0</td>
</tr>
<tr>
<td>31686</td>
<td>MCM</td>
<td>205</td>
<td>600</td>
<td>Media Writing</td>
<td>$0</td>
</tr>
<tr>
<td>31685</td>
<td>MCM</td>
<td>353</td>
<td>500</td>
<td>Social Media Content Productio</td>
<td>$0</td>
</tr>
<tr>
<td>31833</td>
<td>PSY</td>
<td>350</td>
<td>916</td>
<td>Biopsychology</td>
<td>$0</td>
</tr>
<tr>
<td>41632</td>
<td>PSY</td>
<td>330</td>
<td></td>
<td>All Psychological Statistics</td>
<td>$0</td>
</tr>
<tr>
<td>41633</td>
<td>PSY</td>
<td>330L</td>
<td></td>
<td>All Psychological Statistics Lab</td>
<td>$0</td>
</tr>
<tr>
<td>31847</td>
<td>HMS</td>
<td>139</td>
<td>501</td>
<td>Management in Meal Production</td>
<td>$0</td>
</tr>
<tr>
<td>31849</td>
<td>HMS</td>
<td>139L</td>
<td>549</td>
<td>Mgmt in Meal Production Lab</td>
<td>$0</td>
</tr>
<tr>
<td>31747</td>
<td>HMS</td>
<td>202</td>
<td>501</td>
<td>Travel &amp; Tourism</td>
<td>$0</td>
</tr>
<tr>
<td>31750</td>
<td>HMS</td>
<td>236</td>
<td>501</td>
<td>Child Development</td>
<td>$0</td>
</tr>
<tr>
<td>31748</td>
<td>HMS</td>
<td>385</td>
<td>501</td>
<td>Catering and Special Functions</td>
<td>$0</td>
</tr>
<tr>
<td>31741</td>
<td>HMS</td>
<td>420</td>
<td>501</td>
<td>Practicum</td>
<td>$0</td>
</tr>
<tr>
<td>31756</td>
<td>HMS</td>
<td>420</td>
<td>502</td>
<td>Practicum</td>
<td>$0</td>
</tr>
<tr>
<td>31474</td>
<td>HMS</td>
<td>505</td>
<td>501</td>
<td>Food Service Organiz &amp; Mgt</td>
<td>$0</td>
</tr>
<tr>
<td>41646</td>
<td>HMS</td>
<td>137</td>
<td>501</td>
<td>Principles of Food Science</td>
<td>$0</td>
</tr>
<tr>
<td>41647</td>
<td>HMS</td>
<td>137L</td>
<td>649</td>
<td>Principles of Food Science Lab</td>
<td>$0</td>
</tr>
<tr>
<td>41336</td>
<td>HMS</td>
<td>139</td>
<td>501</td>
<td>Management in Meal Production</td>
<td>$0</td>
</tr>
<tr>
<td>41337</td>
<td>HMS</td>
<td>139L</td>
<td>549</td>
<td>Mgmt in Meal Production Lab</td>
<td>$0</td>
</tr>
<tr>
<td>41567</td>
<td>HMS</td>
<td>220</td>
<td>501</td>
<td>Convention &amp; Meeting Planning</td>
<td>$0</td>
</tr>
<tr>
<td>41070</td>
<td>HMS</td>
<td>420</td>
<td>001</td>
<td>Main CampusPracticum</td>
<td>$0</td>
</tr>
<tr>
<td>41072</td>
<td>HMS</td>
<td>420</td>
<td>002</td>
<td>Main CampusPracticum</td>
<td>$0</td>
</tr>
<tr>
<td>41222</td>
<td>HMS</td>
<td>420</td>
<td>501</td>
<td>Practicum</td>
<td>$0</td>
</tr>
<tr>
<td>41223</td>
<td>HMS</td>
<td>420</td>
<td>502</td>
<td>Practicum</td>
<td>$0</td>
</tr>
<tr>
<td>41334</td>
<td>HMS</td>
<td>420</td>
<td>503</td>
<td>Practicum</td>
<td>$0</td>
</tr>
<tr>
<td>40297</td>
<td>KIN</td>
<td>200L</td>
<td>916</td>
<td>Intercollegiate Athletics</td>
<td>$0</td>
</tr>
<tr>
<td>40347</td>
<td>KIN</td>
<td>353L</td>
<td>916</td>
<td>Physiology of Exercise Lab</td>
<td>$0</td>
</tr>
<tr>
<td>30358</td>
<td>KIN</td>
<td>200L</td>
<td>916</td>
<td>Intercollegiate Athletics</td>
<td>$0</td>
</tr>
<tr>
<td>30183</td>
<td>KIN</td>
<td>353L</td>
<td>916</td>
<td>Physiology of Exercise Lab</td>
<td>$0</td>
</tr>
<tr>
<td>31675</td>
<td>KIN</td>
<td>357</td>
<td>916</td>
<td>Prevention &amp; Care of Injuries</td>
<td>$0</td>
</tr>
<tr>
<td>30405</td>
<td>KIN</td>
<td>467</td>
<td>916</td>
<td>Exercise Testing Field/Clinical</td>
<td>$0</td>
</tr>
<tr>
<td>30175</td>
<td>MUS</td>
<td>140</td>
<td>501</td>
<td>History of Rock</td>
<td>$0</td>
</tr>
<tr>
<td>31246</td>
<td>MUS</td>
<td>140</td>
<td>502</td>
<td>Music and Sound in Film</td>
<td>$0</td>
</tr>
<tr>
<td>41711</td>
<td>MTC</td>
<td>152</td>
<td>916</td>
<td>Aural Skills II</td>
<td>$0</td>
</tr>
<tr>
<td>41709</td>
<td>MTC</td>
<td>162</td>
<td>916</td>
<td>Theory II</td>
<td>$0</td>
</tr>
<tr>
<td>41712</td>
<td>MTC</td>
<td>252</td>
<td>916</td>
<td>Aural Skills IV</td>
<td>$0</td>
</tr>
<tr>
<td>41710</td>
<td>MTC</td>
<td>262</td>
<td>916</td>
<td>Theory IV</td>
<td>$0</td>
</tr>
<tr>
<td>41661</td>
<td>MUP</td>
<td>109</td>
<td>46</td>
<td>Applied Instruction: Horn</td>
<td>$0</td>
</tr>
<tr>
<td>40129</td>
<td>MUS</td>
<td>140</td>
<td>501</td>
<td>Music Appreciation</td>
<td>$0</td>
</tr>
<tr>
<td>40263</td>
<td>MUS</td>
<td>140</td>
<td>916</td>
<td>Music Appreciation</td>
<td>$0</td>
</tr>
<tr>
<td>41590</td>
<td>MUS</td>
<td>140</td>
<td>917</td>
<td>Music Appreciation</td>
<td>$0</td>
</tr>
</tbody>
</table>
Fiscal Year 2020 – as of June 30, 2020

Amounts allocable to FY20 (detailed in this report)

<table>
<thead>
<tr>
<th>Source</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal Funds (direct and pass-through)</td>
<td>$10,638,942</td>
</tr>
<tr>
<td>State Funds (direct and pass-through)</td>
<td>$54,095</td>
</tr>
<tr>
<td>Private, Local Government, Other</td>
<td>$82,088</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$10,775,125</strong></td>
</tr>
</tbody>
</table>

New awards, FY20 (detailed in this report, all project years) $11,195,091

Cumulative amount allocable to FY20 $17,046,428

Cumulative award total FY20, all project years $26,188,779

**Note:** Amounts are based on award notices as they are received from the funding entity, not on expenditures or available balances. To reflect the approximate availability of funds in a given fiscal year, some current year awards are estimates based on the total award amount spread over the entire award period.

**New, Additional, or Previously Unreported Awards for FY20**

**Federal Funds (direct and pass-throughs)**

**Title**
* CARES Act: Stephen F. Austin State University Higher Education Emergency Relief-Students

**Sponsor:**
US Department of Education, CFDA 84.425

**Award Term:**
April 25, 2020 to April 24, 2021

**PI/PD:**
Dr. Erma Nieto-Brecht, Admissions

**Total Award:**
$5,262,539

**Amount allocable to FY20:**
$5,000,000

The CARES Act Higher Education Emergency Relief Fund-Student Aid provides funding to institutions to provide emergency financial aid grants to students whose lives have been disrupted from the coronavirus.

**Title**
* CARES Act: Stephen F. Austin State University Higher Education Emergency Relief-Institutional Aid

**Sponsor:**
US Department of Education, CFDA 84.425

**Award Term:**
May 7, 2020 to May 6, 2021

**PI/PD:**
Dr. Danny Gallant, Finance and Administration

**Total Award:**
$5,262,539

**Amount allocable to FY20:**
$5,000,000

The CARES Act Higher Education Emergency Relief Fund- Institutional provides funding to institutions to provide assistance in covering costs associated with significant changes to the delivery of instruction due to the coronavirus.

*New awards or additional funds added to a current award.

1For purposes of this report, ‘grant’ includes grants, contracts, and other types of agreements from external sponsors. It does not include non-grant scholarships or gifts. Other external funds are also reported as instructed by the Controller’s Office or the VP of Finance & Administration.
Grant Report to the Board of Regents – July 2020
Grants\(^1\) awarded between April 1, 2020 and June 30, 2020
Prepared by the Office of Research & Graduate Studies

<table>
<thead>
<tr>
<th>Title</th>
<th>Sponsor</th>
<th>Award Term</th>
<th>PI/PD</th>
<th>Total Award</th>
<th>Amount allocable to FY20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strengthening Institutions Program (SIP)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The CARES Act Higher Education Emergency Relief Fund- Strengthening Institutions provides additional funding to institutions to provide assistance due to disruptions from the coronavirus.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Previously Described Awards:

Talented Teachers in Training for Texas (T4) Phase II
Dr. Lesa Beverly, Mathematics & Statistics
Award Total: $1,049,936 Amount allocable to FY20: $138,371

Previously Described Awards with modifications

Special Education Consolidated Grant FY20 (IDEA-B)
Award Total: $67,830 Amount allocable to FY20: *$571

Subtotal amounts allocable to FY20 (this report) = $10,638,942
Subtotal new federal funds = $11,039,074

State Funds (direct and pass-through)

<table>
<thead>
<tr>
<th>Title</th>
<th>Sponsor</th>
<th>Award Term</th>
<th>PI/PD</th>
<th>Total Award</th>
<th>Amount allocable to FY20</th>
</tr>
</thead>
<tbody>
<tr>
<td>*2020-2021 edTPA Regional Support</td>
<td>Texas Education Agency</td>
<td>January 30, 2020 to August 31, 2021</td>
<td>Dr. Brandon Fox, Elementary Education</td>
<td>$28,500</td>
<td>$4,500</td>
</tr>
</tbody>
</table>

The sponsor is providing funding for SFA to work with a regional group of edTPA Educator Preparation Program (EPP) coordinators. SFA was one of 26 EPP pilot programs.

<table>
<thead>
<tr>
<th>Title</th>
<th>Sponsor</th>
<th>Award Term</th>
<th>PI/PD</th>
<th>Total Award</th>
<th>Amount allocable to FY20</th>
</tr>
</thead>
<tbody>
<tr>
<td>* School Safety and Security Grant 2019-2021</td>
<td>Texas Education Agency</td>
<td>December 19, 2019 to May 31, 2021</td>
<td>Lysa Hagan, Elementary Education</td>
<td>$25,000</td>
<td>$25,000</td>
</tr>
</tbody>
</table>

Funding to provide funding to SFA Charter School to purchase additional safety and security equipment.

*New awards or additional funds added to a current award.

\(^1\)For purposes of this report, ‘grant’ includes grants, contracts, and other types of agreements from external sponsors. It does not include non-grant scholarships or gifts. Other external funds are also reported as instructed by the Controller’s Office or the VP of Finance & Administration.
Previously Described Awards

**Disability Services – Interpreter Services 16-18**

Tiffany Rivers, Disability Services

Award Total: $195,791  
Amount allocable to FY20: $23,596

*Peers Against Tobacco Program – FY20*

Jessica Waguespack, Campus Recreation

Award Total: $1,000  
Amount allocable to FY20: $1,000

Subtotal amounts allocable to FY20 (this report) = $54,095  
Subtotal new state funds = $78,095

Private Entity, Local Government, and Other Awards

**Title:** *LI-COR Program Application -LI-6800 Photosynthesis Package*

Sponsor: LI-COR, Inc.

Award Term: May 26, 2020 to August 31, 2021

PIs/PDs: Dr. Jeremy Stovall, Forestry

Total Award: $77,088  
Amount allocable to FY20: $77,088

(non-cash; matching equipment award)

Through the LI-COR Environmental Educational Fund (LEEF) program, the sponsor provides Primarily Undergraduate Institutions (PUIs) with matching funds to purchase equipment to be used to assist with undergraduate research.

**Title:** *Archaeology and Education of Freedom Colonies in Deep East Texas: A Beginning*

Sponsor: Summerlee Foundation

Award Term: June 9, 2020 to June 9, 2021

PI/PD: Dr. George Avery, Anthropology, Geography, & Sociology

Total Award: $25,000  
Amount allocable to FY20: $5,000

This archaeological research study will include oral history interviews and an analysis of several Freedom Colonies of Texas with the Odom Family Sites in the Shankleville area of Newton County.

*New awards or additional funds added to a current award.*

1For purposes of this report, ‘grant’ includes grants, contracts, and other types of agreements from external sponsors. It does not include non-grant scholarships or gifts. Other external funds are also reported as instructed by the Controller’s Office or the VP of Finance & Administration.
Title: *Establishment of Genetic Lines for Feather Sexable Heritage Poultry Within Hoover’s Hatchery Breeding Program*

Sponsor: Hoover’s Hatchery

Award Term: March 5, 2020 to March 31, 2021

PIs/PDs: Dr. Joey Bray, Agriculture

Total Award: sponsor providing chicks – value to be determined

This research project provides chicks for a mating study to identify males that provide chicks that are solely slow feathering.

Subtotal amounts allocable to FY20 (this report) = $82,088

Subtotal new private and local fund = $102,088

*New awards or additional funds added to a current award.

1For purposes of this report, ‘grant’ includes grants, contracts, and other types of agreements from external sponsors. It does not include non-grant scholarships or gifts. Other external funds are also reported as instructed by the Controller’s Office or the VP of Finance & Administration.