

# **Stephen F. Austin State University**

## **MINUTES OF THE BOARD OF REGENTS**



**Nacogdoches, Texas**

**October 31, 2000  
Volume 170**

## BOARD MINUTES OCTOBER 31, 2000

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MINUTES OF THE MEETING  
BOARD OF REGENTS  
STEPHEN F. AUSTIN STATE UNIVERSITY  
NACOGDOCHES, TEXAS

OCTOBER 31, 2000

The meeting was called to order at 9:00 a.m. by Chair Jimmy Murphy. Board members present in Room 307: R. A. Brookshire, Penny Butler, Mike Enoch, Pattye Greer, Gary Lopez, Susan Roberds, and Mike Wilhite. Absent: Lyn Stevens, who joined the meeting prior to the executive session at 9:50 a.m.

Others present in Board Room 307: Roland Smith, Janelle Ashley, Baker Pattillo, Scott Beasley, other SFA administrators, faculty, and staff, and members of the public.

**01-01**

Upon motion of Regent Roberds, seconded by Regent Greer, with all members voting aye, it was ordered that the minutes of August 1, 2000 and September 26, 2000 be approved.

**01-02**

Upon motion of Regent Wilhite, seconded by Regent Enoch, with all members voting aye, it was ordered that the following appointments be approved.

1. Admissions

Ms. Lori D. Murphree, Admissions Counselor, B.S. (Stephen F. Austin), at a salary of \$23,200 for 100% time for twelve months, effective September 1, 2000.

2. Biology

Ms. Mary E. Garrett, Lab Coordinator, M.S. (Stephen F. Austin), at a salary of \$35,000 for 100% time for nine months, effective September 1, 2000.

3. Communication

Mr. Charles Wells, Lecturer, M.S. (Florida State University), at a salary of \$23,500 for 100% time for nine months, effective September 1, 2000.

4. English/Philosophy

Dr. Rachel Jennings, Visiting Assistant Professor, Ph.D. (University of Texas at Austin), at a salary of \$30,000 for 100% time for nine months, effective September 1, 2000.

Dr. Andrew Kaufman, Visiting Assistant Professor, Ph.D. (University of Toronto), at a salary of \$30,000 for 100% time for nine months, effective September 1, 2000.

Dr. Karen R. Kornweibel, Visiting Assistant Professor, Ph.D. (University of Texas at Austin), at a salary of \$30,000 for 100% time for nine months, effective September 1, 2000.

Mr. Caleb Mason, Visiting Assistant Professor, M.Ph. (Columbia University), at a salary of \$30,000 for 100% time for nine months, effective September 1, 2000.

5. Human Services

Dr. Carol Harrison, Visiting Professor, Ed.D. (Texas A&M University), at a salary of \$37,500 for 100% time for nine months, effective September 1, 2000.

6. Library

Mr. Jeffrey M. Elliott, AARC Assistant Director, M.A. (University of Tennessee), at a salary of \$31,000 for 100% time for ten and one-half months, effective September 1, 2000.

Ms. Mary Elizabeth Pierce, AARC SI Program Director, M.S. (Stephen F. Austin), at a salary of \$30,000 for 100% time for ten and one-half months, effective September 1, 2000.

7. Mathematics and Statistics

Mr. Jesse F. Fagan, Lecturer, M.S. (Texas Tech University), at a salary of \$30,000 for 100% time for nine months, effective September 1, 2000.

Mr. Xiaoxing L. Liu, Lecturer, M.S. (Mississippi State University), at a salary of \$30,000 for 100% time for nine months, effective September 1, 2000.

8. Modern Languages

Dr. Jeana Paul-Urena, Visiting Instructor, Ph.D. (Texas Tech University), at a salary of \$30,000 for 100% time for nine months, effective September 1, 2000.

9. Music

Mr. Christopher M. Anderson, Instructor and Assistant Director of Band, M.M. (Northwestern University), at a salary of \$42,000 for 100% time for nine months, effective September 1, 2000.

Mr. Michael Noel Dean, Instructor, M.M.Ed. (Texas Tech University), at a salary of \$34,000 for 100% time for nine months, effective September 1, 2000.

Dr. Stacie A. Thompson, Visiting Assistant Professor, D.M.A. (Michigan State University), at a salary of \$31,500 for 100% time for nine months, effective September 1, 2000.

10. Nursing

Ms. Karen A. Kincaid, Clinical Instructor, (University of Texas Health Science Center at San Antonio), at a salary of \$40,000 for 100% time for nine months, effective September 1, 2000.

Ms. Claudia Whitlatch, Clinical Instructor, MSN (University of Texas at Austin), at a salary of \$37,000 for 100% time for nine months, effective September 1, 2000.

11. Secondary Education

Dr. C. Michelle Hooper, Assistant Professor, Ph.D. (Oregon State University), at a salary of \$37,000 for 100% time for nine months, effective September 1, 2000.

12. Social Work

Ms. Wilma Cordova, Lecturer, MSW (Michigan State University), at a salary of \$37,000 for 100% time for nine months, effective September 1, 2000.

13. Theatre

Dr. James B. Williams, Visiting Assistant Professor, Ph.D. (Bowling Green State University), at a salary of \$32,500 for 100% time for nine months, effective September 1, 2000.

Mr. Michael W. Wiseman, Technical Director, M.A. (Stephen F. Austin), at a salary of \$28,376 for 100% time for eleven months, effective September 1, 2000.

14. Athletics

Mr. Alexander M. Gibby, Assistant Track Coach/Coordinator, at a salary of \$20,000 for 100% time for nine months, effective September 1, 2000.

Mr. Ron Weston McCown, Assistant Track Coach/Instructor, at a salary of \$26,451 for ten and one-half months, effective September 1, 2000.

Ms. Heather P. Turnbow, Assistant Softball Coach/Adjunct Faculty, at a salary of \$20,000 for 100% time for ten and one-half months, effective September 1, 2000.

15. Information Technology Services

Mr. Jon A. Armstrong, Assistant Director, at a salary of \$59,500 for 100% time for twelve months, effective August 21, 2000.

Ms. Mary T. Joy, Network Support Specialist, at a salary of \$26,200 for 100% time for twelve months, effective July 24, 2000.

Ms. Barbara C. Verratti, Programmer Analyst I, at a salary of \$27,000 for 100% time for twelve months, effective September 1, 2000.

16. Public Affairs

Mr. William R. Brock, Publications Editor, at a salary of \$26,000 for 100% time for thirteen months, effective July 24, 2000.

17. University Advancement

Ms. Karri E. Davis, Special Programs Coordinator, at a salary of \$26,000 for 100% time for twelve months, effective August 7, 2000.

Mr. Adrian C. Matthys, Telemarketing Program Supervisor, at a salary of \$25,000 for 100% time for twelve months, effective August 14, 2000.

18. Controller

Ms. Judy Duffin, from Accounting Supervisor, at a salary of \$28,100 for 100% time for twelve months, to Manager, Payroll Services, at a salary of \$32,000 for 100% time for twelve months, effective September 11, 2000.

**01-03**

Upon motion of Regent Roberds, seconded by Regent Greer, with all members voting aye, it was ordered that the following changes of status be approved.

1. English/Philosophy

Dr. Terry J. Box, from Interim Chair and Professor at a salary of \$72,220 for 100% time for eleven months to Professor at a salary of \$61,305 for 100% time for nine months.

2. History

Dr. Robert N. Mathis, from Chair and Professor at a salary of \$71,740 for 100% time for eleven months to Professor at a salary of \$60,897 for 100% time for nine months.

3. Psychology

Dr. Heinz Gaylord, from Chair and Professor at a salary of \$85,698 for 100% time for twelve months to Professor at a salary of \$66,684 for 100% time for nine months.

4. Athletics

Mr. Darren Fort, from Athletic Certification Officer, at a salary of \$34,381 for 100% time for twelve months, to Assistant Athletic Director, at a salary of \$44,381 for 100% time for twelve months, effective September 1, 2000.

Mr. Philip Olson, from Men's Track Coach/ Instructor, at a salary of \$44,979 for 100% time for ten and one-half months, to Head Track Coach/Instructor, at a salary of \$51,998 for 100% time for twelve months, effective September 1, 2000.

5. Auxiliary Services

Ms. Shelly S. Lackey, from Manager in Controller's Office, at a salary of \$36,528 for 100% time for twelve months to Assistant to Director, Auxiliary Services, at a salary of \$45,000 for 100% time for twelve months, effective August 14, 2000.

6. Secondary Education and Educational Leadership

Dr. Buster Duke Brannen, Professor, from retirement to Family Medical Leave Act at a salary of \$50,593, effective August 23, 2000.

**01-04**

Upon motion of Regent Greer, seconded by Regent Wilhite, with all members voting aye, it was ordered that It is recommended by the administration that the following retirements be accepted.

1. Biology  
Dr. Jack D. McCullough, Professor, effective December 31, 2000.
2. English/Philosophy  
Mr. Richard Lower, Assistant Professor, effective July 5, 2000.
3. General Business  
Dr. Donald A. Evans, Professor, effective July 5, 2000.
4. Mathematics  
Ms. Jane Ritter, Assistant Professor, effective August 11, 2000.

**01-05**

Upon motion of Regent Enoch, seconded by Regent Butler, with all members voting aye, it was ordered that It is recommended by the administration that the following request for retirement and subsequent modification of employment be approved:

Dr. John P. Harlan, Criminal Justice, effective September 1, 2001.

**01-06**

Upon motion of Regent Lopez, seconded by Regent Roberds, with all members voting aye, it was ordered that It is recommended by the administration that the Temporary Employment Services Contract be awarded to Kelly Services.

**01-07**

Upon motion of Regent Butler, seconded by Regent Wilhite, with all members voting aye, it was ordered that the Fall 2000 Underenrolled Class List be approved.



**01-08**

Upon motion of Regent Roberds, seconded by Regent Lopez, with all members voting aye, it was ordered that It is recommended by the administration that the President or Interim President of Stephen F. Austin State University be authorized to designate persons to approve the University's expenditures.

**01-09**

Upon motion of Regent Roberds, seconded by Regent Greer, with all members voting aye, it was ordered that It is recommended by the administration that the revenue and expenditure budgets for Food Services be increased \$106,000.

**01-10**

Upon motion of Regent Roberds, seconded by Regent Butler, with all members voting aye, it was ordered that approval be given to Bancorp South Fredonia (former Fredonia Bank) to provide the University's Visa/Mastercard processing services for the period December 1, 2000 through November 30, 2001, with four annual renewals, subject to administrative approval. It is further recommended that approval be given to Discover Card services to provide the University's Discover Card processing service. The proposed contract reduces the service fee on transactions from 2.2% to 2.1% and adds a \$0.05 per-transaction fee for Discover Card processing.

**01-11**

Upon motion of Regent Lopez, seconded by Regent Roberds, with all members voting aye, it was ordered that approval be given to adjustments to the FY 2001 Budget as shown in Appendix No. 3.

**01-12**

Upon motion of Regent Wilhite, seconded by Regent Greer, with all members voting aye, it was ordered that the University be authorized to make lighting repairs to the Kennedy Auditorium, at a cost not to exceed \$80,000, and that the President be authorized to sign the necessary contracts or purchase orders. Source of funds: HEAF.

**01-13**

Upon motion of Regent Wilhite, seconded by Regent Greer, with all members voting aye, it was ordered that that the University be authorized to make the proposed improvements at the Poultry Research Center as funds become available, with total cost not to exceed \$50,000.

**01-14**

Upon motion of Regent Wilhite, seconded by Regent Greer, with all members voting aye, it was ordered that the University be authorized to replace the air handlers in Hall 10 at a cost not to exceed \$125,000. Source of funds is auxiliary repairs and renovation funds budgeted for FY-01.

**01-15**

Upon motion of Regent Wilhite, seconded by Regent Roberds, with all members voting aye, it was ordered that the University be authorized to purchase the property at 225 East College pending results of a phase II environmental site assessment. Total cost, including the property, closing fees, surveys, environmental site assessment, and appraisals are not

to exceed \$360,000. The administration is authorized to proceed with the purchase using the eminent domain process if necessary. Source of funds: HEAF.

**01-16**

Upon motion of Regent Wilhite, seconded by Regent Butler, with all members voting aye, it was ordered that approval be given to the University's participation in the NETnet consortium and that the President be authorized to enter into the finalized ground lease for construction of the network hub telecommunications tower after review by General Counsel. Tower site is to be designated by SFA.

**01-17**

Upon motion of Regent Wilhite, seconded by Regent Enoch, with all members voting aye, it was ordered that authorization be given to enter a request for voluntary annexation of the Science Research Center property by the City of Nacogdoches and to initiate discussions with the City for extension of sewer-main service to the property. Any cost proposal for the sewer main requiring approval by the Board of Regents will be placed on a future agenda.

**01-18**

Upon motion of Regent Roberds, seconded by Regent Enoch, with all members voting aye, it was ordered that the Executive Committee be authorized to approve the private support organization agreement between the Stephen F. Austin State University Real Estate Foundation, Inc., and the University when all considerations have been resolved to the satisfaction of the Executive Committee.

**01-19**

Upon motion of Regent Roberds, seconded by Regent Lopez, with all members voting aye, it was ordered that the policy revisions be approved as presented, with the exception of Policy F-24, Scholarship Disbursement, which was tabled.

**REPORTS**

**A. Dr. Kandy Stahl, Chair, Faculty Senate**

**B. Interim President, Dr. Roland Smith**

The Board entered Executive Session at 9:50 a.m. to discuss the presidential candidates (Section 551.074), and returned to Open Session at 11:50 a.m.

**01-20**

Regent Wilhite made a motion for Dr. Nicholas Henry as President. Regent Greer seconded the motion. Chair Murphy asked for a roll call vote. The votes were as follows: Susan Roberds, nay; Mike Wilhite, yes; R. A. Brookshire, nay; Mike Enoch, nay; Gary Lopez, nay; Penny Butler, yes; Lyn Stevens, nay; Pattye Greer, yes.

**01-21**

Lyn Stevens made a motion for Dr. Charles Scifres as President. Mike Wilhite seconded the motion. The roll call vote was as follows: Susan Roberds, nay; Mike Wilhite, yes; R.

A. Brookshire, nay; Mike Enoch, nay; Gary Lopez, nay; Penny Butler, nay; Lyn Stevens, yes; Pattye Greer, nay.

After the vote, Jimmy Murphy read a prepared statement regarding the presidential search process and resigned as chair and left the meeting. Vice Chair Pattye Greer assumed responsibility for conducting the meeting.

R. A. Brookshire said he was sorry to see Jimmy Murphy take the action he did. He said he disagreed with Mr. Murphy's assertion that the Board's vote would set the University back fifty years or initiate proceedings to move SFA into a system. Mr. Brookshire said his vote indicated his concern and continued support for the University.

Pattye Greer called the Board into Executive Session to receive legal advice regarding the selection process (Section 551.071) at 12:30 p.m., and returned to Open Session at 1:10 p.m.

**01-22**

Susan Roberds made a motion not to accept the resignation of Jimmy Murphy as Chair. Penny Butler seconded the motion, and the vote was unanimous.

**01-23**

Lyn Stevens made a motion to amend Section 9 of the Board of Regents Rules and Regulations. The amendment requires that membership in the Presidential Screening Committee be selected by a majority vote of the Board of Regents. Mike Enoch seconded the motion, and the vote was unanimous.

**01-24**

Mike Enoch made a motion to terminate the relationship with the current presidential search firm, Harold Webb and Associates, and pay all fees and expenses to the firm. Lyn Stevens seconded the motion. Vote was 6 ayes to 1 nay, with Mr. Wilhite voting nay.

**01-25**

Gary Lopez made a motion to begin the process to select a new search firm. Susan Roberds seconded the motion. Vote 6 ayes to 1 nay, with Mr. Wilhite voting nay.

**01-26**

Lyn Stevens made a motion to have a new presidential screening committee as provided under revised Section 9 of the Regents Rules and Regulations. In his motion, he nominated Susan Roberds as Chair of the Screening Committee. Mike Enoch seconded the motion, and the vote was unanimous.

**01-27**

Lyn Stevens made a motion to empower the chair of the Screening Committee to set the protocol and provide a time frame for the purpose of selecting members for the Screening Committee. Gary Lopez seconded the motion. Vote was unanimous.

Mike Wilhite made a motion to adjourn the meeting. Mike Enoch seconded the motion, and vote was unanimous. Meeting adjourned at 1:45 p.m.

<b>BID RESPONSE</b>					
	bidder information	yes	yes	INCOMPLETE	NONE
	HSP (hub subcontracting plan)	yes	yes	yes	NONE
	bid form	yes	yes	yes	yes
		VENDOR	RECOMMENDED	DISQUALIFIED FROM	DISQUALIFIED FROM
		WITHDREW	AWARD	FURTHER	FURTHER
		BID		CONSIDERATION	CONSIDERATION
				DUE TO INCOMPLETE	DUE TO FAILURE TO
				BID DOCUMENT	RETURN HSP
<b>BIDDER QUALIFICATIONS</b>		<b>A TEMPS</b>	<b>KELLY</b>	<b>SNELLING</b>	<b>EXPRESS PERSONNEL</b>
2.1.1	primary contact name/phone	yes	yes	yes	
2.1.2	address servicing account	yes	yes	yes	
2.1.3	bid info contact	yes	yes	yes	
2.1.4	corporation executives	yes	yes	yes	
2.1.5	company history				
	age	19 yr	50 yr-local 4 yr	50 yr-local 2 yr	
	number of years providing temp service	all above	all above	all above	
	company growth	yes	yes	yes	
	financial information (income/loss figures)	yes	yes	NO FINANCIALS	
2.1.6	number of persons employed/average tenure	yes	yes	yes	
2.2.2	3 references	yes	yes	yes	
2.3	administrative procedures				
	processing staffing requests	yes	yes	NO INFORMATION	
	problem resolution	yes	yes	NO DETAIL PROVIDED	
2.4	quality assurance program				
	screening	yes	yes	yes	
	testing	yes	yes	NOT DESCRIBED	
	evaluation procedures	yes	yes	NO DETAIL PROVIDED	
	staff testing, training & evaluation program	yes	yes	NO INFORMATION	
	methodology for ensuring performance	yes	yes	NOT DESCRIBED	
<b>BID EVALUATION</b>					
	cost	low on some	low on some	low on some	
	bidder qualifications	good	good	INCOMPLETE	
	references	good	good	good	
	administrative procedure	good	good	INCOMPLETE	
	quality assurance program	good	good	INCOMPLETE	
	experience	good	good	good	

	SFA PAY SCALE	KELLY HOURLY RATES	KELLY OVERTIME RATES	FY00 HOURS	FY00 OVERTIME	EST FY01 COST
Accounting Assistant	9.15	9.9	14.36			
Accounting Clerk	7.48	9.24	13.4	28		258.72
Administrative Assistant	9.54	9.9	14.36			
Auto Mechanic	10.93	15	22			
Building Operator	10.93	15	22			
Buyer	10.93	9.24	13.4			
Carpenter	9.54	15	22	300.5		4,507.50
Cashier/Sales Clerk	6.55	9.24	13.4			
Clerk	6.55	9.24	13.4			
Computer Operator	6.55	9.9	14.36			
Custodial Worker	6.55	8.34	12.09	3745.5	5.05	31,298.52
Dispatcher	7	8.58	12.44			
Electrician	10.21	20	30	4255.5		85,110.00
Electronics Technician	11.71	15	22	40		600.00
Equipment Room Manager	6.55	9.43	13.67			
Financial Aid Specialist	7.48	9.24	13.4			
Garbage Crew Worker	6.55	10	15			
Garbage Truck Driver	7	15	22			
General Services Laborer	7	8.34	12.09	11586.7	107.75	96,633.08
Groundworker	6.55	8.34	12.09			
Heavy Equipment Operator	8.55	15	23			
Housekeeper	7.48	8.34	12.09			
HVAC Mechanic	9.54	15	23			
Kitchen Assistant	6.55	8.34	12.09			
Legal Secretary	10.93	9.24	13.4			
Library Assistant	7	9.24	13.4			
Locker Room Attendant	6.55	8.34	12.09			
Locksmith	9.54	13.05	18.92			
Painter	9.54	14.5	21.03	1147.5		16,638.75
Permits & Citations Clerk	7.48	9.24	13.4			
Plumber	10.21	14.5	21.03	40		580.00
Postal Clerk	6.55	8.58	12.44			
Press Operator	7.48	15	22			
General Book Buyer	8	9.24	13.4			
Receptionist	6.55	8.91	12.92			
Road Bus Driver	9.54	15	22	254		3,810.00
Secretary	8	9.24	13.4	279.25		2,580.27
Shuttle Bus Driver	6.55	15	22			
Switchboard Operator	8	9.24	13.4			
Teller	8.55	9.24	13.4			
Traffic Officer	6.55	10.15	14.72			
Vending Routeperson	7.48	10.15	14.72			
ESTIMATED GRAND TOTAL FOR FY01 BASED ON MAN HOURS DURING FY00						\$242,016.84

Kelly Services has been asked to consider whether any hourly/overtime rates could be reduced based on SFA pay scale and prior year man hours.

**PROCEDURES FOR USE AND MONITORING OF  
TEMPORARY EMPLOYMENT SERVICES CONTRACT**

1. Department faxes the request for a temporary worker to Human Resources and Purchasing. Physical Plant faxes or calls their requests directly to Kelly Services.
2. Human Resources will review and notify Kelly Services and forward the departmental request.
3. Purchasing will encumber funds. If funds are not available, Purchasing will contact Financial Services to coordinate the encumbrance. Physical Plant encumbrances and funding will be established at the beginning of the year.
4. Kelly Services will provide the temporary worker.
5. Kelly Services will provide, to Human Resources and Purchasing, monthly reports of man hours worked by department and position, including Physical Plant positions.

RFP #CCMS00-01  
OPENING DATE 10/3/00

V/M = VISA/MASTERCARD

\$ amt/# of  
transactions Sep  
99-Aug 00

# PACKAGED RATE

Make Good funds in 2 days

V/M Discount Fees	\$9,805,557.08
Transaction Fees	41227

One time Set Up Fee for all locations:  
One time Reprogramming Fee:

# DISCOVER ONLY

Discount Fees *	\$1,312,291.10
Transaction Fees **	5518

# GRAND TOTAL EVALUATION:

## Bancorp South Fredonia

RFP rec'd 10/3/00  
10:13am  
HSP enclosed

2.10%	\$205,916.70
	N/C
	<u>\$205,916.70</u>

2.10%	\$27,558.11
0.5	\$2,759.00
	<u>\$30,317.11</u>

**\$236,233.81**

Bancorp South reserved the right to review and adjust discount rates if MC or VISA raise interchange fees.

Bancorp's First Data Corporation connection can be certified to support the Brite-Voice response system by 12/1/00 contingent on the acceptance of their proposal. Delays in notification to Bancorp South could result in extension of the certification for the Voice system.

\* See response from Discover for discount fee.

\*\* The qty of Discover transactions is estimated based on the total Discover dollars divided by the average transaction amount.

## American Express

RFP rec'd 10/2/00  
11:56am  
No HSP

Recommends the University enter into a direct contractual arrangement with AmEx by signing a "participation agreement" to participate in the card acceptance agreement AmEx recently entered into with the State of Texas.

Two additional vendors, Lease Funded Corporation and Merchant Net responded by phone that they would not respond to the RFP because they felt that it did not provide a complete picture of our needs or what they could provide. Both companies offered to visit the University and offer suggestions for an RFP format to provide a complete payments solution. Due to the need to have a contract in place by 11/30/00 and compatible with existing payment transactions, the Controller and Director of Purchasing believe that the best value is represented by making a one year award at this time and requesting both of these companies to visit the campus and make recommendations in February or March, 2001.

## Regions Bank

RFP rec'd 10/3/00  
10:43am

NO PROPOSAL  
Not compatible with MAPP software driver for voice system.

## Bank of America

RFP rec'd 10/3/00  
11:48am  
Incomplete HSP

PROPOSAL NOT  
CONSIDERED  
-LATE  
-INCOMPLETE HSP

Lease Funded Corporation  
John Winsky  
877-377-4680

MerchantNet  
Catherine Jones  
903-764-2932

## NDC

RFP rec'd 10/3/00  
11:07am

PROPOSAL NOT  
CONSIDERED  
-LATE

## Discover Financial Services

RFP rec'd 10/4/00  
11:30am

RECEIVED LATE

Not a proposal, but rather a letter offering a 2.10% discount rate to the University for one year from the award of the contract to the successful bidder.

**Stephen F. Austin State University  
Tuition and Fee Shortfall  
October 31, 2000**

**Education and General Funds**

**Budgeted Income**

Tuition Income Revenue Shortfall	(450,090)
----------------------------------	-----------

**Budgeted Expenditures**

Solution:

Reduce General Contingency	(100,000)
Reduce TPEG Transfer	(75,843)
Reduce Skiles Transfer	(5,130)
Reduce Salary Savings	(269,117)
 Total E&G Funds Budget Reduction	 (450,090)

**Designated Funds**

**Budgeted Income**

Designated Income Revenue Shortfall	(501,953)
-------------------------------------	-----------

**Budgeted Expenditures**

Solution:

Reduce Designated Contingency	(100,000)
Reduce Designated Fund Balance	(401,953)
 Total Designated Funds Budget Reduction	 (501,953)

**Non Pledged Auxiliary Funds**

Student Service Fee Income Shortfall	(83,804)
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Solution:

Reduce Designated Fund Balance	(83,804)
 Total Budgeted Expenditure Reduction	 (1,035,847)



STEPHEN F. AUSTIN STATE UNIVERSITY  
 SCHEDULE OF BUDGET INCREASES  
 July 8, 2000 through August 31, 2000

ACTIVITY RECIPIENT		TRANSFER SOURCE		
ACCOUNT NAME	ACCOUNT NUMBER	SOURCE DESCRIPTION	AMOUNT	DATE
Beef Farm	1-00603	Overrealized Income	3,412	July 28, 2000
Swine Farm	1-00605	Overrealized Income	2,401	July 28, 2000
OSA Graphics Shop	3-50690	Overrealized Income	6,500	July 31, 2000
Fine Arts Series	3-00480	Overrealized Income	760	August 11, 2000
Campus Post Office	3-50651	Overrealized Income	1,033	August 16, 2000
Campus Post Office	3-50652	Overrealized Income	6,399	August 16, 2000
Campus Post Office	3-50653	Overrealized Income	1,065	August 16, 2000
Campus Post Office	3-50654	Overrealized Income	1,389	August 16, 2000
TOTAL			<u>22,959</u>	

## GROUND LEASE WITH AMERICAN TOWER, L.P. FOR NETnet PROJECT

### What Is NETnet?

NETnet is a multi-institutional consortium in Northeast Texas which has agreed to establish a wireless communications network for distance education with an estimated \$4 million appropriations from the Texas Legislature, managed by the University of Texas Health Science Center at Tyler (HCT). NETnet and HCT have contracted with Southwestern Bell to build and coordinate the network. There will be three Hub sites for the network, HCT, SFA and Texas A&M Commerce, at which radio towers would be built.

### What is SFA's commitment?

Essentially, SFA would commit to a 10-year land lease, with three automatic ten-year renewals (40 years total), with American Tower, L.P. (ATC). Location of the tower would be mutually agreed upon between ATC, SFA, and HCT.

#### I. Network Agreement Basics

1. SFA lease of real property to ATC.
2. Tower facility licenses to: First Carrier is HCT for NETnet, Second Carrier is SFA, all other space to private sector.
3. Second Carrier space to SFA is free, so long as private sector licensee not available. If space is rented, the SFA has right of first refusal to rent it or get bumped down or off the tower. Rental is \$1,500 per month minimum, with 4% annual adjustment. Second Carrier space cannot be used by SFA to compete with private sector.
4. Compensation: First Carrier license of space to NETnet is free. If NETnet ceases, SFA may assume First Carrier Space for free, if ATC doesn't terminate contracts. Second Carrier space is free to SFA, so long as it is not otherwise rented to the private sector. ATC will share rental profits with NETnet after reaching a threshold on return of assets. If NETnet ceases, SFA gets First Carrier space free, but no sharing of rental profits. (Negotiation pending.) ATC would have to pay \$3,000 per year to maintain ground lease should NETnet cease.

5. Miscellaneous terms:

- SFA ground lease cannot be terminated without HCT's consent, due to NETnet
- HCT can cure any SFA default on behalf of NETnet, and SFA designates HCT as attorney-in-fact to effectuate such cures. (Negotiation pending).
- Remedies limited for all parties.

II. Lease Agreement to ATC

1. Up to 40 year term with ATC.
2. SFA cannot permit interference: 1½ miles from Lease premise cannot build communications facility or structure greater than 50 feet, unless SFA pays cost of effectuating modification to prevent interference.
3. ATC to carry \$1 million general liability insurance, with SFA as additional insured. Parties waive right to subrogation.

III. Second Carrier License Agreement from ATC

1. Month to month license/ten year and three renewals?
2. SFA must provide As-Built drawings for equipment installation, or pay \$5,000 to ATC to do them.
3. SFA to pay \$2,500 site inspection fee.
4. SFA to pay pro-rata share of common expense, maintenance, utilities, etc.
5. SFA to pay installation cost to ATC.
6. SFA to pay damages caused by SFA employees, contractors, etc.
7. SFA to pay for structural analysis if needed.
8. SFA to pay for intermodulation study if required.
9. SFA to pay for cost of eliminating any interference we cause.
10. SFA must have \$5 million liability insurance or self-insure. (Requested change to \$1 million.)
11. SFA to pay \$1,500 per month minimum second carrier rental fee, if private sector wants to rent the space.

**AGREEMENT BETWEEN  
STEPHEN F. AUSTIN STATE UNIVERSITY  
AND  
THE STEPHEN F. AUSTIN STATE UNIVERSITY REAL ESTATE FOUNDATION, INC.**

**1. PARTIES**

- 1.1 Stephen F. Austin State University (the "University") is an agency of the State of Texas, organized and existing under Chapter 101, Texas Education Code, as an institution of higher education located in Nacogdoches, Texas. The governing body of the University is the Board of Regents (collectively, the "Regents").
- 1.2 The Stephen F. Austin State University Real Estate Foundation, Inc. (the "Foundation") is a non-profit corporation under the laws of the State of Texas for the sole purpose of supporting the mission of the University. The governing body of the Foundation is its Board of Trustees (collectively, the "Trustees").

**2. PURPOSE**

- 2.1 The Foundation is a private support organization as defined in Chapter 2255 of the Texas Government Code.
- 2.2 The University is a state agency as defined in Chapter 2255 of the Texas Government Code.
- 2.3 The parties are entering into this agreement for the purpose of defining the relationship between them pursuant to Chapter 2255 of the Texas Government Code, and to implement the policy (D-25.5) of the Regents governing the University's relationship with private support organizations.
- 2.4 While this agreement is in effect, the University recognizes the Foundation as existing solely for the support of the University. The parties agree that the Foundation is a necessary and beneficial component of the University's overall program for university advancement and for the development of private sources of funding for capital acquisition, operations, endowments, and other purposes relating to the mission of the University.

**3. TERM**

- 3.1 Provided the Foundation has first executed this agreement, this agreement is effective upon its approval by the Regents.
- 3.2 This agreement will continue in effect until terminated. Either party may terminate this agreement by giving ninety days' written notice to the other party.

**4. ORGANIZATION OF THE FOUNDATION**

- 4.1 The direction and management of the affairs of the Foundation and the control and disposition of its assets shall be vested in a Board of Trustees which shall consist of not less than three (3) persons and not more than nine (9) persons.
- 4.2 The President of the University may serve as an ex officio, non-voting member of the Board of Trustees.
- 4.3 The officers of the Foundation shall be a Chair and a Secretary.
- 4.4 The Vice President for University Advancement of the University shall serve as the Executive Director of the Foundation pursuant to the bylaws of the Foundation and the direction of the Trustees.

**5. USE OF UNIVERSITY PERSONNEL AND SPACE BY THE FOUNDATION**

- 5.1 The University shall provide personnel as necessary in the determination of the President of the University for the support of the Foundation's business activities.
- 5.2 The University shall provide office space, equipment, and supplies as necessary in the determination of the President of the University for the Foundation to carry out its responsibilities and activities.

- 5.3 The personnel services, office space, equipment, and supplies provided by the University under this agreement shall be made without charge to the Foundation.
- 5.4 However, since all funds of the Foundation are transferred to the SFASU Foundation, Inc., there will be no compensation of University personnel for their services to the Foundation. Such compensation, if any, shall be provided by the SFASU Foundation, Inc. and will be reported in detail to the President of the University and the Board of Regents, and shall comply with all applicable laws and University policies.
- 5.5 Any conflict between University employees' fiduciary responsibilities to either the University or the Foundation will be resolved in favor of the University.

#### **6. FOUNDATION INVESTMENTS AND RECORD-KEEPING**

- 6.1 All funds belonging or entrusted to the Foundation will be promptly transferred to the Stephen F. Austin State University Foundation for the benefit of Stephen F. Austin State University in accordance with the general or specific purposes stipulated by the donors, grantors or testators or, in the absence of such stipulations, for such uses as may be determined by the Foundation's Board of Trustees.

#### **7. FUND RAISING EFFORTS OF THE FOUNDATION**

- 7.1 The coordination of the Foundation's activities shall be through the Vice President for University Advancement/Executive Director reporting to the President of the University.

7.2 The Real Estate Foundation is authorized to do the following:

1. To advance education through financial support of Stephen F. Austin State University, including all of its branches, departments, schools, colleges, and component institutions, by the improvement of its research, teaching, scholarship, and facilities, including informational or educational seminars, projects, or programs which may be independently funded or organized, providing that all such projects or programs benefit the educational goals of Stephen F. Austin State University.
2. To receive, hold, manage and control property, whether real, personal or mixed, acquired by the Corporation by donation, gift, grant, devise, bequest, purchase or other means.
3. To transfer or use all or any part of the corpus or income for the benefit of Stephen F. Austin State University in accordance with the general or specific purposes stipulated by the donors, grantors or testators or, in the absence of such stipulations, for such uses as may be determined by the Board of Trustees.

7.3 The Office of University Advancement shall maintain all donor lists, files, and gift records, and will coordinate all donor recognition activities.

\_\_\_\_\_  
President  
Stephen F. Austin State University

/ \_\_\_\_\_  
Date

\_\_\_\_\_  
Chairman  
Stephen F. Austin State University Real Estate Foundation, Inc.

/ \_\_\_\_\_  
Date

## **Private Support Organizations or Donors**

**D-25.5**

Original Implementation: July 9, 1991

Last Revision: January 19, 1999

Pursuant to Chapter 2255 of the Texas Government Code, the University will recognize only those private support organizations that meet the requirements of this policy as being formed and designated to further the purposes and duties of the University.

Any organization or donor (whether existing as a corporation or as an unincorporated association) which is formed to further the purposes and duties of the University must enter into a written agreement with the University, approved by the Board. If the Board declines to enter into such an agreement, the private support organization or donor is deemed not to further the purposes and duties of the University, and the Board expressly forbids the use of the name, property, or employees of the University in any actions or activities on the part of the private support organization or donor. The agreement will address and govern all aspects of conduct of the University and its employees in the relationship between the private support organization or donor and the University and its employees including, but not limited to, the following:

- A. Administration and investment of funds received by the organization for the benefit of the University;
- B. Use of an employee or property of the University by the donor or organization;
- C. Service by an officer or employee of the University as an officer or director of the donor or organization; and
- D. Monetary enrichment of an officer or employee of the University by the donor or organization;

Nothing in this policy requires that the University include only the above provisions as subject matter in the agreement between the University and the private support organization or donor. The Board has the responsibility to enter into that form of agreement which the Board, in the exercise of its statutory authority, determines is in the best interest of the University.

Neither this policy nor any agreement entered into by the University may conflict or supersede a requirement of a state or federal statute regulating the conduct of a University employee or regulating the policies and procedures of the University.

**Source of Authority:** Board of Regents

**Cross Reference:** None

**Contact for Revision:** President

**Forms:** None



## Policies for Board Review

October 31, 2000

New	Academic Advising for Undergraduate Students	
New	Allocation of Information Technology Resources	
New	File Maintenance for Faculty Personnel Files	
New	Graduate Student Orientation and Advisement	
New	Travel	
C-1.1	Advance Airline Ticket Purchases	Delete, incorporated into new policy
C-14	Foreign Travel	Delete, incorporated into new policy
C-22	Non-Reimbursable Travel	Delete, incorporated into new policy
C-33.1	Registration Fee	Delete, incorporated into new policy
C-37	Travel Request	Delete, incorporated into new policy
C-38	Travel Reimbursement	Delete, incorporated into new policy
C-43	Travel Charge Card	Delete, incorporated into new policy
C-46	Reporting Fiscal Misconduct	Retaliation for reporting misconduct is cause for disciplinary action or discharge
D-8.1	Computer and Network Security	Delete paragraph on computer and network security
D-13	Student Records	Add class roster to Directory Information; update Source of Authority
D-16	Hazing	Minor grammatical changes
D-19	Illicit Drugs and Alcohol Abuse	Delete reference to Employee Wellness Program at Memorial Hospital in Nacogdoches
D-21	Loudspeakers	Change in Cross Reference and Forms
D-23	Parades and Demonstrations	Change in Cross Reference and Forms
D-26	Public/Student Health	Reviewed, no changes made
D-35	Students Displaying Serious Psychological Problems	Grammatical change
F-15	Guest Speaker	Addition of reference to non-university entities sponsoring speakers; delete 48 hour advance scheduling; reference to Professional and Consulting Services policy; change in Cross Reference
F-16	Accessibility for Persons with Disabilities	Employment accommodations for to be submitted to Human Resources or associate director of Career Services
F-24	Scholarship Disbursement	Central source to coordinate all scholarships

## **Academic Advising for Undergraduate Students**

**New**

Original Implementation: October 31, 2000

Academic colleges, schools and departments should provide all their undergraduate students, both full-time and part-time, with a systematic, effective advising program. All students who are required and those who choose to be advised prior to every registration period are to be advised individually according to the following guidelines:

- all students with fewer than 61 **earned** hours of credit and all students on academic probation must be advised prior to each registration period by which time the student should have on file an official degree plan;
- students with more than 61 earned hours of credit must be advised on an annual basis and may be advised more frequently if desired;
- individual Colleges may specify additional requirements of students for mandatory advising by working with the office of Information Technology Services to implement additional registration holds;
- the advising process includes releasing the hold that will allow the student to register.

Each academic unit responsible for advising students must have an appropriate number of advisors available daily during the specified dates for advising prior to each registration period. The responsibility of the advisor will include but may not be limited to:

- advising the student on degree requirements such as core, major or other required courses, proper sequencing of courses, minimum credit hours, minimum grade-point averages, removal of withheld grades and time limits for completion of degree programs;
- advising the student on University requirements such as minimum course load to be classified as a full-time student, impact of repeat courses on grade point average, timetable for dropping individual courses and the impact on grade point average, residency requirements;
- assisting the student with the process of applying for graduation.

Academic advising programs for undergraduate students must be appropriately evaluated and included in the annual unit assessment report, including information on how the results of the assessment will be used to enhance effective assistance to students.

**Source of Authority:** Vice President for Academic Affairs

**Cross Reference:** Current *General Bulletin*, *Student Handbook*.

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

**Forms:** None

## Allocation of Information Technology Resources

Original Implementation: October 31, 2000

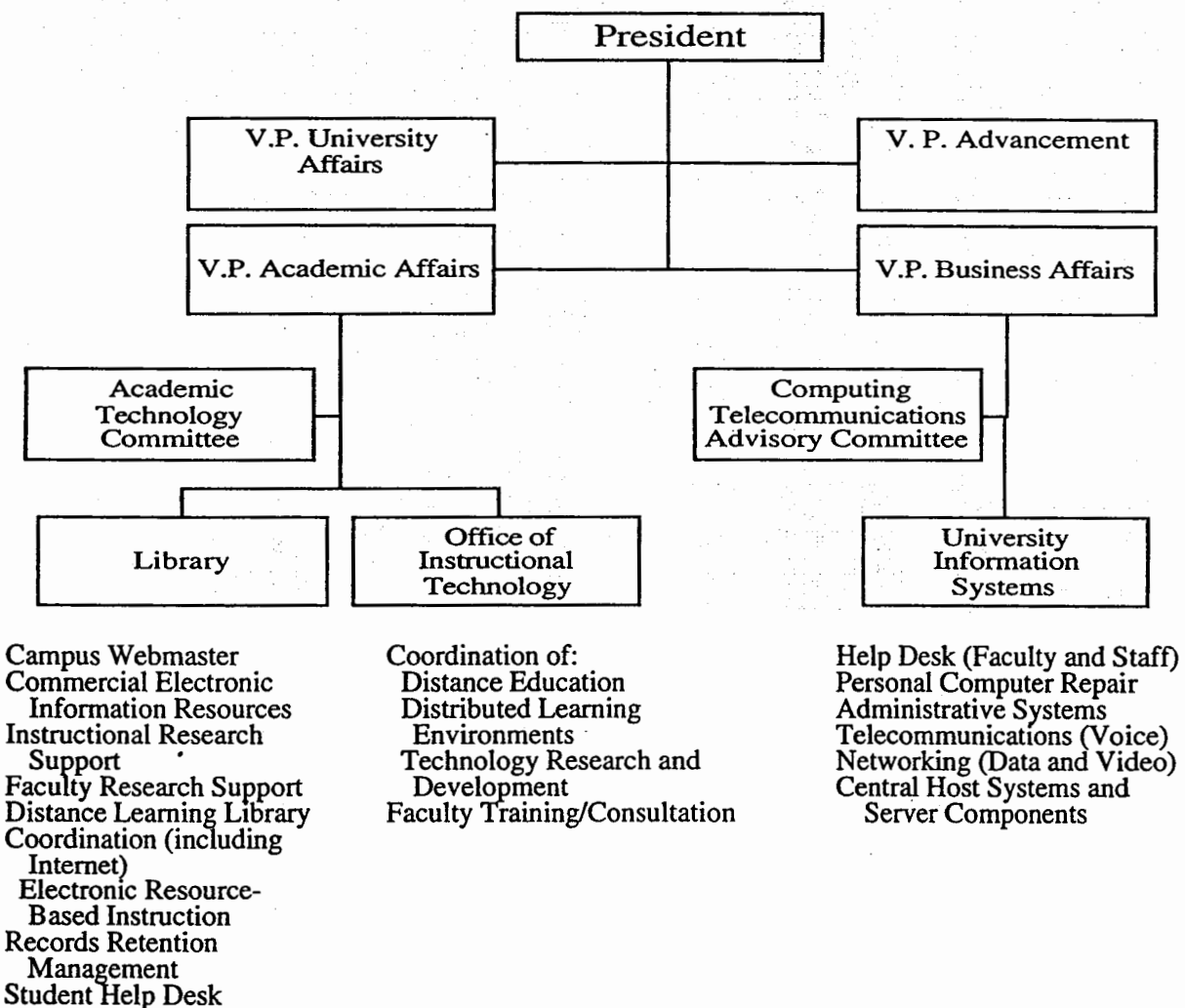
Last Revision: None

New

### RESOURCE ALLOCATION

The allocation of Information Technology Resources is consistent with the University's strategic plan as submitted to the State of Texas Legislative Budgeting Office every biennium. Within the strategic plan is a separate appendix for Information Resource (IR) goals, objectives, and action items for the next five years. These items are updated every biennium and are consistent with the institution's purpose and goals.

Three organizational entities are responsible for executing the IR Strategic Plan: Information Technology Services (IS), Office of Instructional Technology (OIT), and the University Library. These three entities provide central IR services for the campus. The following chart displays the organization and functional responsibilities for these IR services.



The remaining IR responsibility is with the seven colleges and respective deans. Each college is responsible for offering state-of-the-art computer labs and faculty desktop computing and for providing technical support for hardware and software resources.

Allocation of information technology resources is aligned with implementation of institutional goals, objectives, and strategies.

The following table summarizes the physical electronic environment consisting of SFA hardware platforms, operating systems and database management systems.

<b>SFA Platforms, Systems, and Telecommunications</b>					
<b>SFA Platforms and Systems</b>					
<b>CATEGORY</b>	<b>TYPE</b>	<b>OPERATING SYSTEM</b>	<b>DATABASE MGMT. SYSTEM</b>	<b>CAPACITY/ SIZE/ COUNT</b>	<b>COMMENTS/ DESCRIPTIVE INFORMATION</b>
Mainframe	N/A	N/A	N/A	N/A	
Minicomputer	DEC ALPHA SGI	VMS UNIX	None	5	
LAN Servers (Central)	PC, Mac	NT, SYS8	SQL	35	
LAN Servers (Remote)	N/A	N/A	N/A	N/A	
LAN Client/Work-stations (Central)	PC, Mac	WIN95, SYS7	N/A	3500	65%PC, 35%MAC
LAN Client/Work-stations (Remote)	N/A	N/A	N/A	N/A	
WAN Servers	Mail, Web, DNS Servers, Etc.	UNIX NT VMS	N/A	60	
Standalone PC Workstations	PC, Mac	DOS, WIN31, MAC OS	N/A	20	5 MAC, 15 PC
Internet Service Provider		Vendor		N/A	VERIO
Shared Network		N/A		N/A	N/A

**Source of Authority:** President

**Cross Reference:** None

**Contact for Revision:** Vice President for Business Affairs

**Forms for Implementation:** None

## **File Maintenance for Faculty Personnel Files**

**New**

Original Implementation: October 31, 2000

Last Revision: None

The Southern Association of Colleges and Schools requires that the university keep on file for all full-time and part-time faculty members documentation of academic preparation including official transcripts, and, if appropriate for demonstrating competency, official documentation of professional and work experience, technical and performance competency, records of publications, certifications and other qualifications. To meet that requirement, the following guidelines have been established which address the contents of the file as well as the designated place for maintaining the file.

### **Filed in Office of Vice President for Academic Affairs:**

- I. Tenured/Tenure Track Faculty: Professor, Associate Professor, Assistant Professor, Instructor, Librarian I, II, III or IV – 9 month, 100% time, tenure track**
  - 1) Personnel Action Request form (green copy)
  - 2) Recommendation for Appointment form
  - 3) Signed contract issued by VPAA office
  - 4) Post-hire form
  - 5) Official transcripts from all degree granting institutions attended
  - 6) Three letters of reference
  
- II. Visiting (Rank), Lecturer, Librarian I-T, II-T, III-T, or IV-T, Designated (full-time) – 9 month, 100% time, non-tenure track**
  - 1) Personnel Action Request form (green copy)
  - 2) Recommendation for Appointment form
  - 3) Signed contract issued by VPAA office
  - 4) Post-hire form
  - 5) Official transcripts from all degree granting institutions attended
  - 6) Three letters of reference

### **Filed in Office of Dean:**

- I. Adjunct, Designated (part-time) – 4.5 to 9 months, less than 100% time, non-tenure track**
  - 1) Personnel Action Request form (blue copy)
  - 2) Signed contract issued by Dean's office
  - 3) Post-hire form
  - 4) Official transcripts from all degree granting institutions attended
  - 5) Three letters of reference

**II. Graduate Teaching Assistant** – Enrolled graduate student, 50% time or less, non-tenure track

- 1) Personnel Action Request form (blue copy)
- 2) Signed contract issued by Dean's office
- 3) Post-hire form
- 4) Official transcripts from all degree granting institutions attended
- 5) Three letters of reference

Note: See Policy E-1A, Academic Appointments and Titles, for definition of titles.

**Source of Authority:** Vice President for Academic Affairs

**Cross Reference:** Policy and Procedure Manual, Faculty Handbook

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

**Forms:** None

## Graduate Student Orientation and Advisement

New

Original Implementation: October 31, 2000

Last Revision: None

Academic departments offering graduate programs should provide all of their graduate students, both full-time and part-time, with a systematic, effective program of orientation and academic advising. All students are to be assigned a graduate faculty member as an advisor to direct the student during his or her program of studies. The responsibility of the advisor will include but may not be limited to:

- providing or arranging for an orientation to departmental organization, administration, key personnel, facilities and procedures;
- directing the student to University resources, guidelines, procedures, and policies which may affect the student's graduate experience;
- informing the student of the program's relationship to the college, university, and external agencies;
- providing an orientation to the registration process, including dates, procedures, early registration, restrictions, and other information;
- advising the student on degree requirements such as core or required courses, proper sequencing of courses, minimum credit hours, minimum grade-point averages, removal of withheld grades, thesis vs. non-thesis option, transfer courses, and time limits for completion of degree programs;
- advising the student on Graduate School requirements such as admission to candidacy, maintaining good academic standing in the Graduate School, comprehensive examinations, thesis approval procedures, thesis/exhibition/dissertation examinations, and policies and procedures relevant to taking (and retaking) comprehensive or thesis examinations;
- providing the student with an explanation of academic honesty in the classroom and in research;
- advising the student on his or her rights and responsibilities and pointing out the process of appealing decisions and/or the actions of others; and
- assisting the student with the process of applying for graduation and completing all documentation required for graduation.

Departmental orientation and advising programs must be appropriately evaluated and included in the annual departmental assessment report, including information on how the results of the assessment will be used to enhance effective assistance to students.

**Source of Authority:** Vice President for Academic Affairs

**Cross Reference:** *Current Graduate Bulletin, Graduate Student Handbook, Student Handbook.*

**Contact for Revision:** Associate Vice President for Graduate Studies and Research

**Forms:** None

## **Travel**

**New**

Original Implementation: October 31, 2000

Last Revision: None

### **Applicability**

This policy applies to employees and prospective employees traveling in a University capacity except members of the Board of Regents and the President, who are exempt, and intercollegiate athletics. All policies, rules, and regulations related to travel on behalf of, or in connection with, intercollegiate athletics are included in the current issue of the *Intercollegiate Athletics Policy Manual*.

The travel regulations contained in this policy apply to all University funds. The reimbursement limits established by this policy may be exceeded only if funds are available in, and the additional costs are charged to, a discretionary account controlled by the budget manager authorizing the additional expenditure. For this policy, discretionary funds shall be defined as specified accounts established for the sole purpose of discretionary use.

### **General Travel Regulations**

The *State of Texas Travel Allowance Guide* is the authoritative document regarding travel rules and regulations. The Guide is located in the Controller's Office and at <http://www.sfasu.edu/controller/travindex.html>.

Employees, and others traveling on behalf of the University, are not reimbursed on a flat per diem basis. Instead, they are reimbursed for **actual** meal and lodging expenses, subject to the provisions of this policy.

### **Travel Request**

Except as stated in the Applicability section of this policy, anyone traveling on University business must obtain permission in advance of the trip. A Travel Request form (available from University Printing Services and at <http://www.sfasu.edu/controller/travindex.html>) must be submitted and approved at all applicable levels, as indicated on the form, whether or not expenses will be incurred. All expenses to be paid or reimbursed by the University are to be reflected on the Travel Request, regardless of whether they are to be prepaid. A Travel Request is not required for prospective employees.

The Controller's Office uses the Travel Request to encumber funds against the appropriate account(s). The Travel Request will be approved by the Controller's Office only when account balances are sufficient to cover the total estimated cost of the trip.

### **Travel to Washington, D.C.**

Before traveling to Washington, D. C., an employee shall inform the Texas Office of State-Federal Relations about the timing and purpose of the trip, and provide the office with the name of a person who may be contacted for additional information about the trip. A completed form, Report for State Agency Travel to Washington, D. C. (available at <http://www.sfasu.edu/controller/travindex.html>), will meet this requirement.



## **Foreign Travel**

Official University business travel to any foreign country other than Canada or Mexico requires advance written approval from the University's President. Additionally, travel to any foreign country other than Canada or Mexico with the use of Educational and General (E&G) funds (account numbers 1-XXXXXX) requires advance written approval from the Governor of Texas. The traveler must request approval from the Governor at least 30 days prior to departure. This request is made by completing a Request for Governor's Approval for State Employees Traveling to Foreign Countries form (available at <http://www.sfasu.edu/controller/travindex.html>). To be considered for approval, foreign travel must be directly related to the University's mission and must require a duty that cannot be performed without the travel.

A completed Travel Request form (available from University Printing Services and at <http://www.sfasu.edu/controller/travindex.html>) must be routed through the appropriate administrative channels in sufficient time to be approved by the President prior to the date of departure. When required, a copy of the Governor's approval must be attached to the Travel Request when it is initially submitted to the President.

## **Charge Card for Travel Expenses**

A Bank of America individual corporate charge card is available for eligible employees who wish to charge travel expenses. In order to apply, the employee must take, or expect to take, three (3) or more business trips per fiscal year, or expend at least \$500 per fiscal year for official State business.

The State-issued Bank of America individual corporate charge card is to be used for business-related charges only while traveling on official State business. Use of the card for personal business is considered a violation of State policy and the employee may be subject to disciplinary action. The individual whose name appears on the card is solely responsible for payment of the account. If the card is suspended or cancelled for misuse or nonpayment, the employee will be ineligible for travel advances from the University.

An employee is not required to accept a State-issued charge card. However, **all airfare to be paid from Educational and General (E&G) accounts (account numbers 1-XXXXXX) must be charged to one of the State's contract charge accounts: either the State-issued individual corporate charge card or the University's charge card (Airfare Billing Form, available from University Printing Services). No payment can be made from E&G accounts unless airfare is purchased by one of these two methods.**

If the application is approved by Bank of America, the employee agrees to be bound by the Corporate Card and Commercial Card Cardmember Agreement which will be sent with each card. Additionally, the employee agrees to be bound by the State policies governing the use of the Card. Applications and further information concerning this program are available in the Controller's Office or at <http://www.sfasu.edu/controller/travindex.html>. The application must be signed by the employee, the employee's supervisor, and the travel manager in the Controller's Office.

### **Advance Travel Funds**

Advance travel funds are available for employees who wish to obtain money in advance of the trip. These funds may be requested on the Travel Request for: (1) employees ineligible for the Bank of America individual corporate charge card, (2) group travel, or (3) travel with particularly unusual circumstances (reason must be specified on the Travel Request form). The minimum amount of advance funds that can be obtained is \$100.

The Travel Request should be received by the Controller's Office at least five (5) working days prior to departure. Generally, the requested funds will be available at the University Business Office at least one working day prior to departure. Advance travel funds will be issued by a check made payable to the individual requesting the funds. As a condition of receiving advance travel funds, the employee agrees to refund any excess (amount advanced less documented eligible expenditures on the Travel Voucher) within 30 days from the ending date of the trip.

An advance travel check will only be issued prior to the trip. No advancement is authorized if the trip has already occurred. The traveler should submit a Travel Voucher for reimbursement subsequent to the trip.

### **Travel Voucher (Travel Expense Documentation and Reimbursement)**

In order to receive reimbursement, travel expenditures must be documented on a Travel Voucher (available from University Printing Services and at <http://www.sfasu.edu/controller/travindex.html>) signed by the traveler and the account manager. The Travel Voucher must reflect the total actual reimbursable expenses of the trip, regardless of whether advance travel funds were received. **Receipts are required for most travel expenses** (see applicable section of this policy for specific details), **except meals. Meal receipts are required only in the case of group travel.**

The Travel Voucher should be submitted, with receipts attached, to the Controller's Office within 30 days from the ending date of the trip. **No reimbursements will be made and all encumbrances will be cancelled 30 days after the end of the fiscal year.**

The *State of Texas Travel Allowance Guide* can be useful in the completion of Travel Vouchers. It provides comprehensive information on travel procedures and the proper classification of travel related expenditures. A current copy of the Guide is available in the Controller's Office or at <http://www.sfasu.edu/controller/travindex.html>.

### **Foreign Currency Conversion**

All amounts listed on the Travel Voucher must be converted to U.S. dollars using the rate applicable on the date of the expenditure. A foreign currency conversion table is available at <http://www.sfasu.edu/controller/travindex.html>. Documentation of the conversion calculation must be attached to the Travel Voucher.

### **Reimbursement Rates – Lodging**

Reimbursement may not exceed the amount of lodging expenses actually incurred at a commercial lodging establishment, subject to maximum allowances stated below. The original itemized lodging receipt, attached to the Travel Voucher, is required.

The State Travel Management Program of the General Services Commission has contracted with several commercial lodging establishments for special rates. The contracted vendors and rates are listed in the *Texas State Travel Directory*, which is distributed to each department. Employees are encouraged to utilize the contracted vendors when possible.

#### **In-State**

Travelers may be reimbursed for the **actual** cost of lodging, not to exceed seventy dollars (\$70) per day. Additionally, they may be reimbursed for **local** taxes on the allowable lodging cost. **State tax on in-state lodging will not be reimbursed to State employees.** Instead, State employees must submit a completed Texas Hotel Occupancy Tax Exemption Certificate (available from University Printing Services and at <http://www.sfasu.edu/controller/travindex.html>) to commercial lodging establishments at check-in. Employees should also be prepared to show proof of State employment.

#### **Out-of-State**

The maximum reimbursement rates for out-of-state lodging are provided by the Texas State Comptroller. A list of the rates, which is updated from time to time, is available at <http://www.sfasu.edu/controller/travindex.html>. Within the continental United States, lodging reimbursement is limited to the locality-based allowance as stated on the list. For cities and counties not included on the list, the allowance is the median rate established in that state for lodging. Applicable taxes on the allowable lodging costs may also be reimbursed. Travelers to Alaska, Hawaii, or a foreign country may be reimbursed for actual, reasonable costs.

If the actual cost of lodging exceeds a locality's lodging allowance, an employee may reduce the maximum meal reimbursement rate for that locality and use the reduction to increase the lodging reimbursement rate for that locality. No such adjustment can be made to increase the maximum meal reimbursement rate.

#### **Shared Lodging**

When two or more employees share lodging, each employee must pay and claim their prorated share of the cost. The University will reimburse each employee his share of the lodging expense, not to exceed the applicable maximum lodging reimbursement rate. A list of names of those sharing the same room should be attached to each Travel Voucher.

If only one of the individuals sharing lodging is an employee, then the amount that the employee may be reimbursed for lodging expenses is the lesser of the single occupancy room rate or the maximum lodging reimbursement rate.

### Reimbursement Rates - Meals

Employees may be reimbursed for meal expenditures while away from campus if the travel requires them to be at least 25 miles from the University for at least six (6) consecutive hours during the calendar day. Meals are reimbursed at the lower of **actual** cost or the following meal allowances:

<u>IN-STATE</u>	<u>*OUT-OF-STATE</u>
Breakfast \$ 4.25	17% of locality-based allowance
Lunch \$8.25	33% of locality-based allowance
Dinner \$12.50	50% of locality-based allowance
Total \$25.00	

\* Within the continental United States, meal reimbursement is limited to the locality-based allowance (list available at <http://www.sfasu.edu/controller/travindex.html>) provided by the Texas State Comptroller. For cities and counties not included on the list, the allowance is the median rate established in that state for meals. Travelers to Alaska, Hawaii, or a foreign country may be reimbursed for actual, reasonable costs.

The following timetable indicates which meals are reimbursable:

Breakfast	Travel includes 8:00 a.m. or before
Lunch	Travel includes 11:30 a.m. – 1:30 p.m.
Dinner	Travel includes 6:00 p.m. and after

**Actual** meal expenses without overnight stay are reimbursable, not to exceed the in-state rates listed above, regardless of the travel location. Internal Revenue Service rules (Publication 463) state “you cannot deduct the cost of meals if it is not necessary for you to stop for sleep or rest to properly perform your duties.” Therefore, **all reimbursement for meals without overnight stay is taxable to the employee.** The reimbursement will be paid monthly in the employee’s regular payroll check, and taxes will be withheld.

Additional guidelines for meal reimbursement:

- Some registration fees include meals. In this case, the registration fee is fully reimbursable but no additional amount can be claimed for the included meals.
- Meals purchased for the traveler by another person are not reimbursable.
- In the case of employees traveling together, each must pay and claim their prorated share.
- Tips, gratuities, and alcoholic beverages are not reimbursable.
- Meal receipts are not required, except for group travel.

### **Reimbursement Rates - Mileage**

The number of reimbursable miles traveled by an employee may not exceed the number of miles of the most cost-effective route. The shortest route between points, including the use of all farm-to-market roads, is presumed to be the most cost-effective route. The *Texas Comptroller of Public Accounts Mileage Guide* (available at <http://www.sfasu.edu/controller/travindex.html>) calculates the mileage between two locations. When both locations are in the Mileage Guide database, the employee may be reimbursed for either the number of miles (1) calculated by the Mileage Guide or (2) calculated from the employee's odometer. When one or both locations are not in the Mileage Guide database, the number of reimbursable miles is calculated from the employee's odometer. Mileage determined by use of the employee's odometer must be itemized on a point-to-point basis on the Travel Voucher. Any vicinity mileage at the destination location must also be itemized separately on a point-to-point basis. For the purposes of this paragraph, "point" means a building, house, highway intersection, or other similarly-localized spot.

The reimbursement rate for use of an employee's personal vehicle is established by the State legislature. That rate is specified in the *State of Texas Travel Allowance Guide* (available in the Controller's Office or at <http://www.sfasu.edu/controller/travindex.html>) or as updated by the Texas State Comptroller.

### **Four-Per-Car-Rule**

Coordination of travel must occur when two, three, or four employees travel on the same dates with the same itinerary to conduct the same official State business. When coordination of travel is required, only one employee may be reimbursed for mileage.

### **Reimbursement Rates - When Representing the University President**

If the President is unable to attend a meeting or conference, the President may designate, on an individual trip basis, one employee as a representative to travel. Under this provision, the employee is reimbursed for **actual** expenses, not to exceed twice the maximum allowance rates for lodging and meals specified by this policy. The Travel Voucher must be accompanied by the original designating document from the President. Receipts are required as specified in this policy.

### **Registration Fees**

The registration fee for attendance at a professional meeting is reimbursable if the fee was approved on the Travel Request. The fee must be shown as a miscellaneous expense on the Travel Voucher, with the original receipt attached.

Attendance at in-town conferences does not require a Travel Request. Employees may be reimbursed for in-town registration fees by submitting a completed Travel Voucher, as they would for any other travel reimbursement. The description should indicate that the conference was in Nacogdoches.

Some registration fees include meals. In this case, the registration fee is fully reimbursable but no additional amount can be claimed for the included meals.

#### Prepayment of Registration Fees by University

When requested, the University will prepay the registration fee for official business conferences and seminars. If the meeting is being held out-of-town, the employee must first obtain approval to travel by submitting a Travel Request showing the registration fee as an estimated cost of the trip. Additionally, a completed Purchase Voucher (available from University Printing Services and at <http://www.sfasu.edu/controller/travindex.html>) and registration form must be submitted to the Controller's Office well in advance of the payment due date.

#### Airline Ticket Purchases

Any airline ticket expense, whether to be prepaid or reimbursed, must be listed on the approved Travel Request. **All airfare to be paid from Educational and General (E&G) accounts (account numbers 1-XXXXX) must be charged to one of the State's contract charge accounts: either the state-issued individual corporate charge card or the University's charge card (Airfare Billing Form, available from University Printing Services). No payment can be made from E&G accounts unless airfare is purchased by one of these two methods.**

The State Travel Management Program of the General Services Commission has contracted with several airlines to provide special airfare rates for certain flights. University employees traveling on official State business are encouraged to use these contracted rates when possible. A listing of the flights and rates is available at <http://www.sfasu.edu/controller/travindex.html>.

An employee who wishes to charge an airline ticket directly to the University must submit an Airfare Billing Form (available from University Printing Services) to the Controller's Office. After approval, the employee must present the signed form to a local participating travel agency (list available at <http://www.sfasu.edu/controller/travindex.html>). The travel agency will book the flight and charge the expense to the University rather than to the employee.

The original receipt, attached to the Travel Voucher, is required for airline ticket reimbursement. **Airline ticket reimbursement to the employee will be made only after completion of the travel.** The University cannot reimburse an employee for the cost of air transportation by a person who is not a commercial transportation company.

#### Motor Vehicle Rentals

If approved on the Travel Request, most expenses of renting a motor vehicle are reimbursable. The daily rate, applicable taxes, and other mandatory charges are reimbursable. An additional driver charge is reimbursable if it is incurred for an official State business reason. Also, collision damage waiver and loss damage waiver expenses are reimbursable if they are not already included in the contracted rate (see next

paragraph). The following expenses are not reimbursable: liability insurance supplement; personal accident insurance; safe trip insurance; personal effects insurance.

The State Travel Management Program of the General Services Commission has contracted with several vehicle rental agencies to provide special rental rates. Most rates include unlimited free mileage, free loss damage waiver, and free primary liability coverage. University employees traveling on official State business are encouraged to use these contracted rates when possible. A listing of the agencies and rates is available at <http://www.sfasu.edu/controller/travindex.html>.

A detailed receipt from the motor vehicle rental company, attached to the Travel Voucher, is required for reimbursement of motor vehicle rental expenses.

### **Incidental Expenses**

Expenses for ground transportation such as taxi, limousine, subway, bus and other modes of mass transit are reimbursable, subject to the provisions of this section. All expenses must be listed on the approved Travel Request and Travel Voucher. Limousine expenses are reimbursable if it was the least costly transportation available considering all relevant circumstances. If two or more State employees share a taxi or limousine, only the employee who paid for the transportation may be reimbursed for that expense. Other official business expenses (e.g., parking, telephone calls, and copy services) are also reimbursable.

Receipts are requested, but not required, for reimbursement of these incidental expenses. If receipts are not provided, an explanation of the reimbursable expenses must be detailed on the Travel Voucher (including type of expense, date, amount and location).

The following are not reimbursable: expenses of a personal nature; expenses that would be incurred by the employee regardless of official State business travel; tips and gratuities; alcoholic beverages.

### **Student and Other Group Travel**

When a group travels together, it may be more convenient for one person to pay and claim expenses of the entire group. In this case, the person paying the expenses will be responsible for submitting the Travel Request and the Travel Voucher. **Receipts are required for all expenses of group travel, including meals.** Additionally, a list of names of all travelers must be attached to the Travel Request and Travel Voucher.

The group sponsor/advisor may request advance travel funds to pay expenses for the group (refer to the Advance Travel Funds section of this policy for procedures). The sponsor/advisor will be solely responsible for claiming reimbursement on the Travel Voucher, and for repayment of the advance travel funds. Sponsors/advisors of group travel are encouraged to contact the travel manager in the Controller's Office prior to the trip for helpful record-keeping tips.

Employees traveling together are not considered group travel. Each employee must pay and claim his/her own expenses.

**No Educational and General funds (account numbers 1-XXXXXX)** may be used to pay or reimburse travel expenses for students. All other provisions of this policy apply to student travel.

**Prospective Employees**

All provisions of this policy apply to prospective employees, except they are not required to submit a Travel Request.

**Non-Reimbursable Travel**

Travel requests may be approved on a non-reimbursement basis for purposes that will not conflict with other University policy and as approved in advance of travel through appropriate procedures.

Approval on a non-reimbursement basis may be given for travel:

- regarded as official University business, but for which funds are not approved;
- associated with approved outside employment and consistent with the guidelines pertaining thereto (Policy E-35);
- necessitated by faculty when providing consultant services related to the academic programs of the University;
- that complies with the Leave of Absence policies (Policies E-29A and E-30N) of the University;
- deemed consistent with the University's mission;
- necessitated by personal business that cannot otherwise be scheduled; or
- when approved annual leave is being used.

In any event of absence from class, the instructor is not to dismiss class but is to arrange for an appropriate replacement. Moreover, only in extraordinary situations will travel be approved that will result in the instructor missing the same class more than twice in succession.

**Source of Authority:** Texas State Comptroller; Vice President for Business Affairs; State Travel Management Program of the General Services Commission; Governor's Policy on Foreign Travel; Internal Revenue Service; Vice President for Academic Affairs

**Cross Reference:** Intercollegiate Athletics Policy Manual; State of Texas Travel Allowance Guide; Texas State Travel Directory; Internal Revenue Service, Publication 463; Texas Comptroller of Public Accounts Mileage Guide; Outside Employment, Policy E-35; Leave of Absence (Faculty), Policy E-29A; Leave of Absence (Non-Academic), Policy E-30N

**Contact for Revision:** Controller



Forms: Travel Request, Travel Voucher, Texas Hotel Occupancy Tax Exemption Certificate, and Purchase Voucher (all available from University Printing Services and at <http://www.sfasu.edu/controller/travindex.html>); Report for State Agency Travel to Washington, D.C. and Request for Governor's Approval for State Employees Traveling to Foreign Countries (both available at <http://www.sfasu.edu/controller/travindex.html>); Bank of America Corporate Travel Charge Card Application (available from travel manager in Controller's Office); Airfare Billing Form (available from University Printing Services)

Questions regarding the preparation of forms mentioned in this policy should be directed to the Controller's Office.

## **Advance Airline Ticket Purchases**

**C 1.1**

**Original Implementation:** Unpublished

**Last Revision:** October 14, 1997

~~An employee wishing to travel on University funds should first obtain approval by submitting a Travel Request through appropriate administrative channels which includes the estimated cost of the airfare.~~

~~An employee who wishes to book a flight which is billed directly to the University must submit an "Airfare Billing Form" to the Controller's Office for approval. After approval by that office, the employee should present the signed form to a local travel agency to obtain a flight booking which will be billed to the University.~~

~~Any airline ticket purchase not made through this procedure will be reimbursed to the employee only after completion of the authorized travel.~~

**Source of Authority:** Vice President for Business Affairs

**Cross Reference:** None

**Contact For Revision:** University Controller

**Forms:** Travel Request, see Index C 37; Airfare Billing Form (both available in University Printing

## **Foreign Travel**

**C 14**

**Original Implementation:** Unpublished

**Last Revision:** January 25, 2000

~~Travel for official University business by Stephen F. Austin State University employees outside the United States or its possessions, Canada, and Mexico, for which any reimbursement is received, requires advance approval of the University President (or the appropriate vice president in the President's absence). Additionally, travel for official University business by Stephen F. Austin State University employees outside the United States or its possessions, Canada, and Mexico, which involves the use of state funds requires advance approval from the Governor of Texas.~~

~~To be approved, foreign travel must be directly related to the University's mission and must require a duty that cannot be performed without the travel.~~

~~A completed "Travel Request" form must be routed through the appropriate administrative channels in sufficient time to be approved by the Office of the President prior to the date of departure. When required, a copy of the Governor's approval must be attached to the Travel Request when it is initially submitted to the President.~~

~~**Source of Authority:** Sec. 660.024, Tx Gov Code, VTCS, President, Sec. 9 5.10(h), General Appropriations Act, 76th Texas Legislature~~

~~**Cross Reference:** State of Texas Travel Allowance Guide~~

~~**Contact For Revision:** President~~

~~**Forms:** Travel Request, see Index C 37~~

## **~~Non-Reimbursable Travel~~**

**~~C 22~~**

**~~Original Implementation: Unpublished~~**

**~~Last Revision: July 27, 1999~~**

~~Travel requests may be approved on a non-reimbursement basis for purposes that will not conflict with other University policy and as approved in advance of travel through appropriate procedures.~~

~~Approval on a non-reimbursement basis may be given for travel:~~

- ~~—1.regarded as official University business, but for which funds are not approved;~~
- ~~—2.associated with approved outside employment and consistent with the guidelines pertaining thereto;~~
- ~~—3.necessitated by faculty when providing consultant services related to the academic programs of the University;~~
- ~~—4.that complies with the Leaves of Absence policy of the University;~~
- ~~—5.deemed consistent with the University's mission of service, teaching and/or research;~~
- ~~—6.necessitated by personal business that cannot otherwise be scheduled; or~~
- ~~—7.approved when annual leave is being used.~~

~~In any event of absence from class, the instructor is not to dismiss class but is to arrange for an appropriate replacement. Moreover, only in extraordinary situations will travel be approved that will result in the instructor missing the same class more than twice in succession.~~

**~~Source of Authority: Vice President for Academic Affairs~~**

**~~Cross Reference: Leave of Absence (Faculty), Policy E 29A; Leave of Absence (Non-Academic), Policy E 30N; Travel Request, Policy C 37; Outside Employment, Policy E 35~~**

**~~Contact for Revision: Vice President for Academic Affairs~~**

**~~Forms: Travel Request~~**

## **Registration Fees**

**C 33.1**

Original Implementation: Unpublished

Last Revision: April 21, 1998

The University will pay the registration fee for official business conferences and seminars. If the conference is being held out of town, the employee must first obtain approval to travel by submitting a Travel Request which includes the registration fee in the estimated costs of the intended trip. The employee registering for the conference or workshop should submit a completed Purchase Voucher to the Controller's Office well in advance of the conference.

An employee who pays the registration fee from personal funds may be reimbursed by including it as a miscellaneous expense on his Travel Voucher if the fee was approved on the Travel Request or he may submit a completed Purchase Voucher if the trip did not require out of town travel.

Some registration fees include meals, lodging and other expenses related to travel. If such expenses are included in the registration fee which has been paid through a purchase voucher prior to travel, these expenses may not be reimbursed on a Travel Voucher to the employee.

The State of Texas Travel Allowance Guide provides comprehensive information on travel procedures and the proper classification of travel related expenditures. A copy of the guide is distributed by the Controller's office.

**Source of Authority:** Vice President for Business Affairs

**Cross Reference:** State of Texas Travel Allowance Guide

**Contact for Revision:** Controller

**Forms:** Purchase Voucher (see C 31), Travel Reimbursement (see C 38),

## **Travel Request**

**C-37**

Original Implementation: September 1, 1988

Last Revision: January 25, 2000

State employees and others authorized to travel on official business of the University (employees) must obtain permission to do so in advance of the trip by submitting a Travel Request form, whether or not expenses will be incurred. Members of the Board of Regents are exempt from the Travel Request requirement.

This policy applies to employees traveling in any capacity unrelated to intercollegiate athletics. All policies, rules, and regulations related to travel on behalf of or in connection with intercollegiate athletics are included in the current issue of the Intercollegiate Athletics Policy Manual.

A Bank of America Corporate Card is available for eligible travelers of the University who wish to charge travel expenses. Applications and further information concerning this program are available in the Controller's Office.

Advance travel funds may be requested with the Travel Request form for persons not eligible for the Bank of America corporate card, for group travel, and for travel with particularly unusual circumstances (must be specified). The minimum amount of advance funds that can be obtained is \$100. If advance funds are required, the request should be received by the Controller's Office at least five (5) working days prior to departure. Generally, the requested funds will be available at the University Business Office at least one working day prior to departure. Advance travel funds will be issued by a check made payable to the individual requesting the funds.

The Travel Request must be initiated and authorized at the departmental level. For academic departments, the request must be approved by the appropriate dean and forwarded to the Vice President for Academic Affairs for final approval. For administrative staff, the Travel Request must be approved through appropriate administrative channels. It must then be sent to the appropriate vice president or President for final approval. Partial per diem payments require the President's approval. After final approval, the request must be routed to the Controller's Office.

Before traveling to Washington, D. C., an employee shall inform the Office of State-Federal Relations about the timing and purpose of the trip and provide the office with the name of a person who may be contacted for additional information about the trip. A form,

~~Report for State Agency Travel to Washington, D. C., is available to meet this requirement.~~

~~Before traveling to any foreign country other than Canada or Mexico, an employee shall obtain advance written approval of the University's President. Travel to any foreign country other than Canada or Mexico with the use of state funds requires advance written approval from the Governor of Texas. Refer to Foreign Travel, Policy C-14 for the approval requirements and to The State of Texas Travel Allowance Guide for exceptions to the reimbursement limits.~~

~~**Source Of Authority:** Vice President for Business Affairs~~

~~**Cross Reference:** Foreign Travel, Policy C-14, State of Texas Travel Allowance Guide~~

~~**Contact For Revision:** Controller~~

~~**Forms:** Travel Request (available in University Printing Services) and Report for State Agency Travel to Washington, D. C.~~

## **Travel Reimbursement**

**C-38**

Original Implementation: September, 1990

Last Revision: October 21, 1998

### **General Information**

State employees and others authorized to travel on official business of the University (employees) must complete a Travel Request (See Policy C-37) for approval in advance of the actual travel. If the travel expenses are to be reimbursed by the University, they should be listed on the Travel Request. Members of the Board of Regents are exempt from the Travel Request requirement. Employees must travel economically and efficiently to conserve the University's financial resources. Travel expenditures should occur at the lowest possible levels, considering all relevant circumstances. Each employee requesting reimbursement should submit a Travel Voucher within thirty (30) days after completion of the travel.

The State Comptroller's Office publishes "The State of Texas Travel Allowance Guide" to assist employees in the completion of travel vouchers. A current copy is provided to each department by the Controller's Office.

The travel regulations contained in this policy apply to all University funds unless otherwise noted. This policy does not apply to travel related to intercollegiate athletics. All policies, rules, and regulations for travel on behalf of or in connection with intercollegiate athletics are included in the current issue of the Intercollegiate Athletics Policy Manual.

### **Reimbursement Rates—Lodging**

The actual lodging receipt is required for reimbursement. If the actual lodging receipt is lost, a copy of the receipt or a credit card receipt will be accepted as proof of payment. Receipt must be attached to the Travel Voucher.

—In State



—Effective September 1, 1997, employees may be reimbursed for the actual cost of lodging not to exceed seventy dollars (\$70) per day and the local taxes only on the allowable lodging cost.

—Out of State

Employees traveling within the continental United States may be reimbursed for the actual cost of lodging not to exceed the locality based allowance for that location as established in the "Federal Travel Regulations Guide". They may be reimbursed for the applicable taxes only on the allowable lodging costs.

Travel Reimbursement

Employees traveling to localities not listed in the Federal Travel Regulations receive the lowest flat rate established in that state for lodging. If the actual cost of lodging exceeds a travel locality's lodging allowance, an employee may reduce the maximum meal reimbursement rate for that locality and use the reduction to increase the maximum lodging reimbursement rate for that locality.

Reimbursement Rates—Meals

Employees may be reimbursed for meal expenditures while away from campus only if the travel requires them to be at least 25 miles from the locality of the University for at least six (6) consecutive hours. Food and/or beverage expenditures for other than meals are not reimbursable. Funds appropriated by the General Appropriations Act may not be used to purchase or reimburse an employee for the purchase of an alcoholic beverage. Appropriate business entertainment expenses involving meals may be reimbursed pursuant to the Food Purchases policy, Policy C 13, and are exempt from the distance and time requirements.

—In State

—Meals are reimbursed at the lower of actual cost or the following meal allowances:

~~—— Breakfast \$ 4.25~~  
~~—— Lunch 8.25~~  
~~—— Dinner 12.50~~  
~~—— Total \$25.00~~

~~—— Receipts are not required for meal reimbursements but reimbursement is available only if the employee purchases and consumes a meal in accord with the distance and time standards. Meals included as part of a registration or conference fee or which are purchased for the employee are not reimbursable under this provision of the policy. Employees required to travel away from the campus on official business not requiring an overnight stay may be entitled to the stated meal allowance if the distance traveled (one-way) is at least twenty-five miles and the time away from campus is at least six consecutive hours.~~

~~—— Out of State~~

~~—— Employees may be reimbursed for the actual cost of meals not to exceed the locality-based allowance for that location as established in the Federal Travel Regulations Guide. If the travel is to a locality not listed in the federal regulations, employees will receive the lowest flat rate established in that state for meals.~~

#### ~~Reimbursement Rates—Mileage~~

~~Reimbursement for use of an employee's personal vehicle is calculated at the rate specified in the current "State of Texas Travel Allowance Guide". Mileage is based on the shortest highway distance, including the use of all farm to market roads, and must be itemized on a point to point basis. Mileage is determined by the "Official State Mileage Guide" published by the Statistical Research Service.~~

#### ~~Group Travel—Lodging~~

~~Group travel occurs if two or more employees travel together to the same location. Employees sharing lodging may consolidate or separate lodging claims. In cases of shared lodging, the Travel Voucher must clearly indicate by name the other employee(s)~~

sharing the room. The total reimbursement for lodging cannot exceed the lesser of the actual lodging charge or an amount equal to the number of employees in the group times the individual lodging rate established in this policy.

#### Travel At Actual Expenses

If the President is unable to attend a meeting or conference, the President may designate, on an individual trip basis, one employee as a representative to travel on an actual-expense status. Under this provision, the allowance rates for lodging and meals specified by this policy do not apply. The Travel Voucher for reimbursement of these claims must be accompanied by originals of the designating document and paid receipts for which reimbursement is requested.

#### Student Travel

No state appropriated funds may be used to pay or reimburse travel expenses for students. All other provisions of this policy apply to student travel. (See Group Travel section) If the number of students in the group exceeds twenty, the name of the group may be substituted for the list of names.

#### Commercial Travel

Employees who travel by commercial airline should use their individual corporate American Express card to charge their airline ticket. See Advanced Airline Ticket Purchases, Policy C 1.1, for the appropriate procedure if the flight must be booked ten or more days in advance to obtain the lowest fare.

#### Incidental Expenses

Reimbursement for official business expenses other than transportation, meals, or lodging, e.g., ground transportation, telephone calls, copy services, etc., may be requested if original receipts are attached to the approved Travel Voucher. The following are not reimbursable: expenses of a personal nature; expenses that would be incurred by the employee regardless of official state business travel; and tips and gratuities.

### **Registration Fees**

~~Registration cost for attendance at a professional meeting is reimbursable if the original receipt is attached to the approved Travel Voucher.~~

### **Reimbursement Limits**

~~The cost limits established by this policy may be exceeded only if funds are available in and the additional costs are charged to a discretionary account controlled by the budget manager authorizing the additional expenditure. For this policy, discretionary funds shall be defined as specified accounts established for appropriate officials for the sole purpose of discretionary use.~~

~~**Source Of Authority:** Comptroller, State of Texas; Vice President for Business Affairs  
**Cross Reference:** Advanced Airline Ticket Purchase, Policy C 1.1; Food Purchases, Policy C 13, Travel Request Policy C 37, and "The State of Texas Travel Allowance Guide" A copy of the current "State of Texas Travel Allowance Guide" is distributed by the Controller's Office to each department. The travel guide provides comprehensive information on travel procedures and the proper classification of travel related expenditures. Questions regarding the preparation of travel vouchers should be directed to the Controller's office.~~

~~**Contact For Revision:** Controller~~

~~**Forms:** Travel Voucher~~

## **Travel Charge Card**

**C-43**

**Original Implementation:** January 19, 1999

**Last Revision:** January 25, 2000

~~An Bank of America Corporate Card is available for eligible travelers of the University who take, or expect to take three (3) or more business trips per fiscal year, or expend at least \$500 per fiscal year for official state business. The state issued Bank of America Corporate Card is to be used for business related charges only. By accepting the charge card, the employee accepts the responsibility for paying all charges timely and agrees that the charge card is intended for state business travel use only.~~

~~The Bank of America Corporate Card issued to an employee remains the property of the State of Texas and should be used only for official state business charges while away from the University. Use of the Bank of America Corporate Card by an employee for personal business is considered a violation of state policy and will be subject to corrective action. The State Travel Management Program and the University will receive monthly reports of charges made on all charge cards and the status of payments. Charges will be reviewed for compliance with guidelines stipulated on the Charge Card Agreement signed by the employee at the time of application. If an account ages to sixty (60) days past due, Bank of America may impose a 2.5% (\$20 minimum) late charge. The late charge will be assessed 60 days from the statement date in which the charges considered past due were billed. The Vice President for Business Affairs will be responsible for monitoring charges and payment status on all individual corporate charge cards issued to University employees and to ensure compliance with the regulations and penalties stipulated on the Charge Card Agreement.~~

**Source of Authority:** ~~State Travel Management Program, Charge Card Services, 1 TAC sec.125.9; Vice President for Business Affairs~~

**Cross Reference:** ~~Travel Request, Policy C-37~~

**Contact for Revision:** ~~Controller~~

**Forms:** ~~Card Use Agreement~~

## Reporting Fiscal Misconduct

C-46

Original Implementation: January 28, 1997

Last Revision: ~~None~~ October 30, 2000

### INTRODUCTION

This policy establishes procedures and responsibilities for reporting and resolving instances of known or suspected fiscal misconduct. The intent of the policy is to protect the assets and interests of the University, prescribe a coordinated approach toward investigation and resolution of fiscal misconduct and outline specific responsibilities for individuals responding to the investigation of a fiscal misconduct event. *Retaliation for filing a good faith report regarding suspected fiscal misconduct is prohibited by this policy, and is cause for disciplinary action, up to and including termination.*

### DEFINITIONS

- A) University - Stephen F. Austin State University and all of its components, regardless of the source of funding.
- B) Employee - All personnel employed by the University, including faculty, staff, and students.
- C) Fiscal Misconduct - Defalcation, misappropriation, and other fiscal irregularities, including but not limited to:
  - 1) dishonest, illegal, or fraudulent acts involving University property;
  - 2) forgery or alteration of checks, drafts, promissory notes, and securities;
  - 3) forgery or unauthorized alteration by employees of employee benefit or salary-related items such as time sheets, payroll documents, billings, claims, surrenders, assignments, or changes in beneficiary;
  - 4) forgery or unauthorized alteration by employees of student related items such as grades, transcripts, loans, fees, financial aid applications, financial aid records;
  - 5) misappropriation of funds, securities, supplies, or any other asset of the University;
  - 6) illegal or fraudulent handling or reporting of money transactions;
  - 7) employee acceptance or solicitation of any gift, favor, or service that might reasonably tend to influence the employee in the discharge of his or her official duties;

- 8) destruction or disappearance of records, furniture, fixtures, or equipment where theft is suspected.
- D) Suspected Fiscal Misconduct - A reasonable belief or actual knowledge that fiscal misconduct has or is occurring. Failure to show an actual diversion of assets or loss shall not be considered unreasonable belief.

## POLICY AND PROCEDURE

Any employee of the University who knows of or suspects fiscal misconduct must promptly notify his or her immediate supervisor and/or one of the following investigative units: the Department of Audit Services, the Office of General Counsel, the University Police Department or the Personnel Department. The University Police Department or Office of General Counsel are the preferred primary contacts. The unit contacted shall contact the remaining three units as appropriate to establish the necessary investigative team and procedures.

All affected departments and/or individuals shall cooperate fully with the investigative team to identify whether or not actual fiscal misconduct has occurred.

The investigative team shall update University administration of the progress of all investigations. The scope of and individuals subject to investigations are to be considered in determining the extent and nature of notification.

The results of all investigations will be reported to the President of the University.

Management is responsible for establishing and maintaining a system of internal control that provides reasonable assurance that improprieties are prevented and detected. Each manager should be familiar with the types of improprieties that might occur in his or her area and be alert for any indication that such a defalcation, misappropriation, or other fiscal irregularity has occurred.

Management will support the University's fiduciary responsibilities and will cooperate with law enforcement agencies in the detection, investigation, and reporting of criminal acts, including prosecution of offenders. Every effort should be made to recover University losses.

The Office of Audit Services will supervise all audits of allegations of defalcation, misappropriation, and other fiscal irregularities. When an audit reveals suspected criminal activity, or an audit is initiated due to an allegation of criminal activity, the University Police will be notified immediately and the audit will proceed under their direction.

When an audit involves allegations or reveals suspected criminal activity which may constitute a felony offense, the Chief of Police shall, when appropriate, immediately notify the President or his designee. The Director of Audit Services shall keep the University Police informed regarding the progress of the audit.

The University Police, Office of Audit Services, and Office of the General Counsel will coordinate assistance provided to State, Federal, and local law enforcement agencies in connection with felony fraud investigations. All requests for information and/or assistance from such agencies, received by any other component of the University, shall be immediately forwarded to the University Police for determination and handling. All reasonable assistance will be given to law enforcement agencies when requested.

All requests for information and assistance related to investigations conducted by auditors of federal and state agencies, which are concerned with potential dishonest or fraudulent activities within the University, shall be forwarded immediately to the Director of Audit Services for consultation with the Office of General Counsel.

In order to avoid the use of investigative techniques that might prevent evidence from being used in a criminal prosecution, University Police will coordinate the criminal investigation once probable criminal activity has been detected. The Office of Audit Services shall assist the University Police in investigations of suspected defalcation, misappropriation, and other fiscal irregularities that require accounting and auditing knowledge of University records.

In order to protect the reputations of innocent persons initially suspected of wrongful conduct and to protect the University from potential civil liability, the results of investigations and attendant audits will not be disclosed or discussed with anyone other than authorized representatives of law enforcement and/or regulatory agencies and only those persons associated with the University who have a legitimate need to know such results in order to perform their duties and responsibilities, subject to provisions of the Texas Open Records Act.

## INVESTIGATIONS AND ATTENDANT AUDITS

Audits revealing violations of the Penal Code for which an audit report will be issued shall be reduced to final report form only after consultation by University Police with the local prosecutor or the Office of General Counsel to ensure that appropriate documentation of the facts has been achieved in order to permit appropriate personnel action, protect innocent persons, support appropriate civil or criminal actions, document claims made pursuant to applicable fidelity bonds, preserve the integrity of criminal investigation and prosecution and avoid unnecessary litigation.

Great care must be taken in the investigation of suspected improprieties or irregularities to avoid incorrect accusations or alerting suspected individuals that an investigation or audit is underway and also to avoid making statements which could provide a basis for a lawsuit for false accusation or other offense. The reporting individual should not:

- 1) contact the suspected individual to determine facts or demand restitution; or
- 2) discuss the facts, suspicions, or allegations associated with the case with anyone, unless specifically directed to do so by the Office of Audit Services, University Police, or Office of the General Counsel.



All inquiries from the suspected individual, their representative or their attorney shall be directed to the Office of General Counsel without further comment.

All reproduction of documents, evidence, and reports shall be performed within the secured work area of the University Police or Office of Audit Services. Any requests to release or review such documents will be coordinated through the Office of the General Counsel.

To the extent permitted by the applicable provisions of the Texas Open Records Act, confidentiality of those reporting dishonest or fraudulent activities will be maintained. However, the confidentiality cannot be maintained if that individual is required to serve as a witness in legal proceedings.

When an audit initiated due to an allegation of criminal activity has failed to detect criminal activity or when advised by the Office of General Counsel, the Director of Audit Services has the discretion to stop the audit. The Office of University Police retains authority to review the progress of criminal investigations and to determine whether to pursue a criminal prosecution.

#### **AUDIT FINDINGS**

Each investigation of possible dishonest or fraudulent activities has the potential to provide valuable insight into University activities. Investigations may disclose control weaknesses or other deficiencies that require additional auditing or attention by management. The Office of Audit Services shall consider the nature and extent of the investigation and complete any additional audit work necessary to provide management with information for appropriate action.

**SOURCE OF AUTHORITY:** Board of Regents

**CROSS REFERENCE:** None

**CONTACT FOR REVISION:** Vice President for Business Affairs

**FORMS:** None

## Computer & Network Security

D-8.1

Original Implementation: January 24, 1995

Last Revision: ~~July 27, 1999~~ October 31, 2000

### Purpose

To establish conditions for use of, and requirements for appropriate security to cover University computers, available information technology, and networks.

### Scope

This policy is effective at all University locations or data centers and represents the minimum requirements that must be in place. Individual areas that have computers and networks may have additional controls and security, but they are in addition to this Policy.

### Computer & Network Security

~~This policy is effective at all University locations or data centers and represents the minimum requirements that must be in place. Individual areas that have computers and networks may have additional controls and security, but they are in addition to this policy.~~

### Responsibility

The University Computing and Telecommunications Advisory Committee is responsible for the development of university-wide policies, controls and procedures to protect the university network and information systems from intentional or inadvertent modification, disclosure of confidential information, or destruction. The committee is also responsible for education of the campus community in the ethical use of computer information and network facilities.

### Policy

At each data center, appropriate security shall include:

1. Protection of the privacy of confidential information
2. Protection of information against unauthorized modification
3. Protection of systems against unauthorized access

In order to maintain such security, the university reserves the right to:

1. Limit, restrict, or terminate an account holder's usage
2. Inspect, copy, remove, or otherwise alter any data, file, or system resource that may undermine the authorized use of that system, with or without prior notice to the user.

3. Periodically check the systems and take any other such actions necessary to protect the university computers, information, and networks.

Each data center facility at Stephen F. Austin State University must develop an internal security document to cover such details as the type of access controls (minimum length of passwords, other type of accessing, etc.), disaster recovery plans, contingency plans for continuous operation in case of power outages, etc. Those documents are considered to be part of this policy statement.

The University shall not be liable for, and the user assumes the risk of, loss of data or interference with files resulting from the University's efforts to maintain the privacy and security of the University's computer, information and network facilities.

#### **Access to, and use of, computers and computer networks**

Individuals are expected to exercise responsible, ethical behavior when using the University's computer, information, networks or resources.

1. Access to some university computer systems, accounts and resources is limited to designated individuals. Access is provided through the establishment of an account. Issuance of passwords and designation of some computer accounts must be approved in writing through the respective dean or director (or designated representative) of the administrative unit. The unauthorized use of university computer systems, accounts and resources; the unauthorized use of another person's computer account; and the provision of false or misleading information systems are prohibited and will be subject to the sanctions described in this policy.

2. Each user is responsible for understanding and complying with the security rules of University computer systems. Authorized users shall take all reasonable precautions to prevent use of University computer systems by unauthorized persons.

3. Use of another person's account or access to the university's computer system without authorization is prohibited. Authorization shall not be given for anyone to use another's account(s) unless such authorization is specifically requested in writing, and approved in writing by the account owner and the respective dean or director (or authorized representative) of the computer or network. The authorized user(s) of an account is (are) responsible for all usage on that account. Account owners shall take all reasonable precautions, including password maintenance and file protection measures, to prevent use of account by unauthorized persons. Account must only be used for the purpose for which they were authorized.

4. Users have the responsibility to use available mechanisms and procedures to protect their own programs, programs in software libraries, and data. They also are responsible for assisting in the protection of the systems they use.
5. Individuals programs, programs in software libraries, and data that belong to another account shall not be accessed or copied without prior authorization from the account holder. Individuals may not transport such files to other computer sites without written permission.
6. Computer software protected by copyright is not to be copied from, into or by using University computers, except as permitted by law or by the license or contract with the owner of the copyright. The software license or contract will define number of copies, simultaneous users, machine exclusivity, etc. It is the responsibility of the individual and department which orders/purchases the software to read and follow the terms of the software license agreement.
7. Because the University is an Internet Service Provider (ISP) for faculty, staff and students, it must comply with the Federal Digital Millennium Copyright Act. This means disciplinary action including termination of service may be taken on any reported copyright infringements that have been investigated and ~~eetermined~~ *determined* valid. (see [www.arl.org/info/fm/copy/dmca.html](http://www.arl.org/info/fm/copy/dmca.html))
8. University computer systems are reserved for use only for University-related activities. (See Chapter 39 of the Texas Penal Code for provisions dealing with the misuse of state property) The intentional deletion or alteration of information or data of others, intentional misuse of system resources, and permitting misuse of system resources by others is prohibited.
9. Individuals aware of any breach of information system or network security, or compromise of computer security safeguards, must report such situations to the dean or director (or designated representative) of the data center in which the incident occurred. The data center representative will contact other campus departments as appropriate.

#### **Sanctions for policy violations**

Violation of any provision of this policy may result in but are not limited to:

- (i) a limitation on a user's access to some or all University computer systems, (ii) the initiation of legal action by the University, including, but not limited to, criminal prosecution under appropriate State and Federal laws (See Chapter 33 of the Texas Penal Code), (iii) the requirement of the violator to provide restitution for any improper use of service, and (iv) disciplinary sanctions, which may include dismissal. Applicable University discipline and/or

discharge policies will be followed in the imposition of sanctions related to a violation of this policy.

**Course and work related access to computers and computer networks**

Many academic courses and work-related activities require the use of computers, networks and systems of the University. In the event of an imposed restriction or termination of access to some or all University computers and systems, a user enrolled in such courses or involved in computer related work activities may be required to use alternative facilities, if any, to satisfy the obligation of such courses or work activity. However, users are advised that if such alternative facilities are unavailable or not feasible, the users bear the responsibility for failure to complete requirements for course work or work responsibility.

**Source of Authority:** Vice President for Academic Affairs and Vice President for Business Affairs

**Cross Reference:** None

**Contact for Revision:** Computing and Telecommunications Advisory Committee

**Forms:** None

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## STUDENT RECORDS

D-13

Original Implementation: 1974

Last Revision: ~~January 19, 1999~~ October 30, 2000

The purpose of this policy is to comply with federal law which: (1) grants to students the right of access to their education records, (2) protects students from illegal use of their education records, (3) restricts the disclosure of the social security account number of students.

### 1. Definitions

For the purposes of this policy, the University adopts the following definitions:

- a. Student means any person who attends or who has attended the University.
- b. Education records means any record (in handwriting, print, tapes, film, or other medium) maintained by the University or an agent of the University which is directly related to a student, except:
  - (1) a personal record kept by a staff member, if it is kept in the personal possession of the individual who made the record, and information contained in the record has never been revealed or made available to any other person except the maker's temporary substitute;
  - (2) an employment record of an individual whose employment is not contingent on the fact that he/she is a student, provided the record is used only in relation to the individual's employment;
  - (3) records maintained by the University Police Department if the records are maintained solely for law enforcement purposes, are revealed only to law enforcement agencies of the same jurisdiction, and the Department does not have access to education records maintained by the University;
  - (4) records maintained by University Health Services if the records are used only for treatment of a student and made available only to those persons providing the treatment; and,
  - (5) alumni records which contain information about a student after he/she is no longer in attendance at the University and the records do not relate to the person as a student.

### 2. Annual Notification

A brief description of the types of records, as well as student and institutional rights, shall be published annually in the Student Handbook and Activities Calendar. Specific

information may be obtained by consulting with administrative officials listed in this policy.

### **3. Student Rights**

Each student has the right:

- a. to be provided with a list of the types of education records maintained by the University;
- b. to inspect and review the contents of his/her records, excluding the exceptions included in this policy;
- c. to obtain copies of his/her records at personal expense;
- d. to explanations and interpretations of his/her records; and,
- e. to a hearing to challenge the contents of his/her records.

### **4. Procedure to Inspect Education Records**

Students may inspect and review their education records upon request to the appropriate record custodian.

Students should submit to the record custodian or an appropriate University staff person a written request which identifies as precisely as possible the record or records he/she wishes to inspect.

The record custodian or an appropriate University staff person will make the needed arrangements for access as promptly as possible and notify the student of the time and place where the records may be inspected. Access must be given in 45 days or less from the receipt of the request.

When a record contains information about more than one student, the student may inspect and review only the records which relate to him/her.

### **5. Types and Custodians of Education Records**

<b>Type of Record</b>	<b>Content</b>	<b>Custodian</b>
Academic	Grades, classification, academic standing, application for admission, and admissions scores	Registrar, Director of Admissions
Financial	Amount of financial assistance given by University and type of assistance	Director of Financial Aid, Controller
Disciplinary	Nature of offense and type of University action	Dean of Student Development

Placement	Academic record and documents of recommendations	Director of Counseling and Career Services
Health	Medical history to include all treatment by University physicians	Director of Health Services
Counseling	Test scores and counseling sessions	Director of Counseling and Career Services

#### **6. Fees for Copies of Records**

The fee for copies of education records will be ten (10) cents per page.

#### **7. Right of University to Refuse Access**

The University reserves the right to refuse to permit a student to inspect the following records:

- a. the financial statement of the student's parents;
- b. letters and statements of recommendation for which the student has waived his/her right of access, or which were placed in file before January 1, 1975;
- c. records connected with an application to attend the University if that application was denied; and,
- d. those records which are excluded from the definition of education records.

#### **8. Refusal to Provide Copies**

The University reserves the right to deny transcripts or copies of records not required to be made available by law in any of the following situations.

- a. The student has an unpaid financial obligation to the University.
- b. There is an unresolved disciplinary action against the student.

#### **9. Disclosure of Education Records**

The University will disclose information from a student's education records only with the written consent of the student, except:

- a. to school officials who have a legitimate educational interest in the records;
  - (1) A school official is a person:
    - (a) employed by the University in an administrative, supervisory, academic or research, or support staff position;



- (b) appointed to the Board of Regents;
  - (c) employed by or under contract to the University to perform a special task.
- (2) A school official has a legitimate educational interest if the official is:
  - (a) performing a task that is specified in his/her job description or by a contract agreement;
  - (b) performing a task related to a student's education;
  - (c) performing a task related to student discipline;
  - (d) providing a service or benefit relating to the student or student's family, such as health care, counseling, job placement or financial aid.
- b. to officials of another school, upon request, in which a student seeks or intends to enroll;
- c. to certain officials of the U.S. Department of Education, the Comptroller General, and state and local educational authorities, in connection with certain state or federally supported education programs;
- d. in connection with a student's request for or receipt of financial aid, as necessary to determine the eligibility, amount or conditions of the financial aid, or to enforce the terms and conditions of the aid;
- e. in compliance with a state law requiring disclosure that was adopted before November 19, 1974;
- f. to organizations conducting certain studies for or on behalf of the University;
- g. to accrediting organizations to carry out their functions;
- h. to parents of an eligible student who claim the student as a dependent for income tax purposes;
- i. to comply with a judicial order or a lawfully issued subpoena;
- j. to appropriate parties in a health or safety emergency.

Proof of status from the requesting individual or organization will be required to gain access to education records.

#### **10. Record of Requests for Disclosure**

The University will maintain a record of all requests for and/or disclosure of information from a student's education records. The record will indicate the name of the party making the request, any additional party to whom it may be disclosed, and the legitimate interest the party had in requesting or obtaining the information. The record of requests may be reviewed by the student.

#### **11. Directory Information**

The University designates the following items as Directory Information:

- a. name,
- b. all address, including email
- c. all telephone numbers,
- d. major field of study,
- e. academic classification,
- f. participation in officially recognized activities and sports,
- g. weight and height of members of athletic teams,
- h. dates of attendance and enrollment status
- i. degrees and awards received,
- j. previous schools attended, and
- k. photograph, and
- l. class roster.

The University may disclose any of these items without prior written consent, unless the student notifies the Registrar in writing to the contrary by September 1 of each fiscal year.

#### **12. Review and Destruction of Education Records**

The University may destroy obsolete records provided the right to access has been followed as outlined in Section 3 of the Family Educational Rights and Privacy Act.

### **13. Correction of Education Records**

A student has the right to request a correction on his/her education records that they believe are inaccurate, misleading, or in violation of their privacy rights. The University shall attempt to settle the disputed contents of an education record by informal proceedings. If informal proceedings fail to achieve a satisfactory settlement, the student may request a formal hearing using the following procedures.

- a. To receive a hearing, a student must file a written request with the President of the University. In so doing, the student should identify the part of the education record he/she wants amended and specify why he/she believes it is inaccurate, misleading, or in violation of his/her privacy rights.
- b. Within 10 working days of receiving the request, the President will arrange for a hearing, and notify the student at least 5 working days in advance of the date, place, and time of the hearing.
- c. The hearing will be conducted and the decision rendered by a hearing officer, appointed by the President, who does not have a direct interest in the outcome of the case. The President shall name the hearing officer in the written notice sent to the student.
- d. The student shall be afforded a full and fair opportunity to present evidence relevant to the issues listed in the original request to amend his/her education records.
- e. The hearing officer will prepare a written decision based solely on the evidence presented at the hearing.
- f. If the hearing officer decides that the disputed contents of the education record are inaccurate, misleading, or in violation of the student's right to privacy, he/she will amend the record, and notify the student in writing that the record has been amended.
- g. If the hearing officer decides that the disputed contents of the education record are not inaccurate, misleading, or in violation of the student's right to privacy, he/she will notify the student of his/her right to place a statement in the education record commenting on the disputed contents and/or a statement setting forth the student's reasons for disagreeing with the decision.
- h. The student's statement will be maintained as part of the student's education record as long as the disputed contents are maintained by the University. If

the University discloses the disputed contents of the education record to any person, it must also disclose the student's statement to the person.

#### **14. Disclosure of Social Security Account Number**

Federal law requires that when any federal, state or local government agency requests an individual to disclose his/her social security account number (SSAN), that individual must also be advised whether that disclosure is mandatory or voluntary, by what statutory or other authority the number is solicited, and what uses will be made of it. Accordingly, students, or applicants for admission as students, are advised that disclosure of a student's SSAN is mandatory as a condition for participation in certain activities at the University.

Under the mandatory category, the SSAN is used to verify the identity of the student, and as an identifier to record necessary data accurately for such activities as admissions; housing and food services; determining and recording eligibility for student financial assistance to include loans, scholarships, and grants; student employment; recording entitlement to and disbursement and repayment of loans; recording entitlement to and payment of scholarships, grant allowances, and official student travel and per diem; determining and recording eligibility for and participation in athletic and similar events; and such other related requirements which may arise.

Disclosure of a student's SSAN is voluntary for certain other activities. Under the voluntary category, the SSAN is used to verify the identity of the student and to record data accurately for such activities as testing, reporting and evaluation of the ACT and the SAT; recording and reporting student grades and related academic data; registering for placement services to include preparation of resumes and furnishing information to prospective employers and such other related uses which may arise.

Authority for requiring the disclosure of a student's SSAN is grounded on Section 7(a)(2) of the federal statute which provides that an agency may continue to require disclosure of an individual's SSAN as a condition for the granting of a right, benefit, or privilege provided by law where the agency required this disclosure under statute or regulation prior to January 1, 1975, in order to verify the identity of an individual.

The University has for several years requested the disclosure of the SSAN on student application forms and other necessary student forms and documents used pursuant to statutes passed by the State of Texas and the federal government and to regulations adopted by agencies of the State of Texas and the federal government, and by the Board of Regents of the University.

**Source Of Authority:** Family Educational Rights and Privacy Act of 1974, 20 U.S.C. sec. 1232 et seq.; 45 CFR sec. 99.01 et seq.; P.L. 93-579, sec. 7; President; Vice President for Academic Affairs; *ORD 244*

**Cross Reference:** SFA Web Pages

**Contact for Revision:** General Counsel

**Forms:** None

## Hazing

D-16

Original Implementation: September, 1987

Last Revision: ~~October 14, 1997~~ October 31, 2000

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 ~~pledging~~ *new member intake*, being initiated into, affiliating with 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, etc.;
2. any type of physical activity such as sleep deprivation, exposure to the elements, confinement in a small space, calisthenics or other 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 consumption of a food, liquid, alcoholic beverage, drug or substance which subjects the student to unreasonable risk or harm;
4. any activity that intimidates or threatens the student with ostracism, subjects the student to extreme mental stress, shame or humiliation or that adversely affects the mental health or dignity of the student or discourages the student from entering or remaining at the institution;
5. any activity that induces, causes, or requires the student to perform a duty or task which involves a violation of the Penal Code.

**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 or knowingly permitting hazing to occur;
4. having first-hand knowledge that a specific hazing incident has occurred and failing to report said knowledge in writing to the Dean of Student Development.

**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 - University

Individual. Each individual committing an offense is subject to University penalties ranging from probation to ~~suspension~~ *expulsion*.

Organization. Student organizations committing an offense may be placed on University probation and are subject to withdrawal of University recognition.

#### Penalties - Criminal

Individual. Penalties relative to criminal prosecution range from a fine of \$1,000 and 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.

#### Notice of Policy

To General Campus Community. This policy shall be published in the General Bulletin, *SFASU Website* ~~Student Handbook and Activities Calendar~~, Schedule of Classes and The Pine Log 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 for hazing or convicted for hazing on or off campus during the previous three years shall be published in the same manner. *The three year publication will begin as soon as the organizations' name can be placed in the next printing of the General Bulletin.*

**Source of Authority:** Texas Education Code, secs. 4.51 to 4.58; Board of Regents; President; Vice President for University Affairs

**Cross Reference:** *SFASU Web pages* ~~Student Handbook and Activities Calendar~~, General Bulletin

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

**Forms:** None

## **Illicit Drugs and Alcohol Abuse**

**D-19**

Original Implementation: September 1, 1986

Last Revision: ~~January 20, 1998~~ *October 31, 2000*

It is the declared policy of the United States Government to create a Drug-Free America by 1995. As a part of that policy, the Drug-Free Workplace Act of 1988, P.L. 100-690, Subtitle D was adopted. On December 12, 1989, President Bush signed the Drug-Free Schools and Communities Act Amendment of 1989, P.L. 101-226, which amends provisions of the Drug-Free Schools and Communities Act of 1986 and the Higher Education Act of 1965. University policies relating to the use of illegal drugs and alcoholic beverages have been established by the Board of Regents of Stephen F. Austin State University in compliance with state and federal law.

### **Standards of Conduct**

University policy prohibits all employees (full-time and part-time faculty, staff, and students) from engaging in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance or alcoholic beverage in the workplace, or reporting to work under the influence of alcoholic beverages or illegal drugs. None of the funds appropriated to the University by the State Legislature for travel expenses may be expended for alcoholic beverages.

University policy further stipulates, with regard to students, that the unauthorized use of intoxicating beverages on University property or at University sponsored activities, including, but not limited to, intercollegiate and intramural athletic events is prohibited. Alcoholic beverages are not permitted in University residence halls. With regard to student apartments, state law prohibits individuals under 21 years of age from possessing or consuming alcoholic beverages.

It is the policy of Stephen F. Austin State University that any unlawful manufacture, possession or delivery of any controlled substance or illegal drug is strictly prohibited. Moreover, it is the policy of the State of Texas and of this University that this institution will be as free of illegal drugs as it can possibly be.

## Health Risks

### Alcohol Abuse.

Alcohol is a primary and continuous depressant of the central nervous system. Impairment of judgment and of recently learned, complex and finely tuned skills begins to occur at blood alcohol concentrations as low as 0.025 percent. These impairments are followed by the loss of more primitive skills and functions, such as gross motor control and orientation at concentrations in excess of 0.05 percent. Alcohol in moderate doses impairs nearly every aspect of information processing, including the ability to abstract and conceptualize, the ability to use large numbers of situational cues presented simultaneously, and the cognitive ability to determine meaning from incoming information. Alcohol consumption can therefore promote action on impulse without full appreciation of, or concern about, the potential negative consequences of such action. Chronic long-term effects of heavy drinking over a period of years can result in brain damage, cancer of the mouth, esophagus or stomach, heart disease, liver damage resulting in cirrhosis, alcoholic hepatitis, and cancer of the liver, peptic ulcer disease and possible damage of the adrenal and pituitary glands. Prolonged, excessive drinking can shorten life-span by 10-12 years.

### Illicit Drugs.

Illicit drugs include narcotics, such as heroin or morphine; depressants, such as barbiturates, Quaaludes, or valium; stimulants, such as cocaine or "crack"; hallucinogens, such as PCP, LSD or mescaline; cannabis, such as marijuana or hashish; inhalants, such as nitrous oxide, amyl nitrite (poppers) or various hydrocarbon solvents; and designer drugs, such as China White, methamphetamine (Ecstasy) or meperidine (Demerol).

Narcotics. Narcotics initially produce a feeling of euphoria that is often followed by drowsiness, nausea and vomiting. Tolerance may develop rapidly and dependence is likely. The use of contaminated syringes may result in diseases such as AIDS, endocarditis (inflammation of the lining of the heart) and hepatitis.

Depressants. The effects of depressants are in many ways similar to the effects of alcohol. Small amounts can produce calmness and relaxed muscles, but a somewhat larger dose can cause slurred speech, ataxia or unstable gait and altered perception. Very large doses can cause respiratory depression, coma and death. The combination of depressants and alcohol can multiply the effects of the drugs, thereby multiplying the risks. The use of depressants can cause both physical and psychological dependence.



**Stimulants.** Cocaine stimulates the central nervous system. Its immediate effects include dilated pupils; elevated blood pressure, heart and respiratory rate; and body temperature. Occasional use can cause a stuffy or runny nose, while chronic use can ulcerate the mucous membrane of the nose with long-term use eroding the nasal septum. The injection of cocaine with unsterile equipment can cause AIDS, hepatitis and other diseases. Preparation of freebase, which involves the use of volatile solvents, can result in death or injury from fire or explosion. Cocaine can produce psychological and physical dependency. In addition, tolerance develops rapidly. Crack or freebase rock is extremely addictive. The physical effects include dilated pupils, increased pulse rate, elevated blood pressure, insomnia, loss of appetite, tactile hallucinations, paranoia and seizures. Overdoses occur easily.

**Hallucinogens.** Phencyclidine (PCP) users frequently report a sense of distance and estrangement. Time and body movement are slowed down. Muscular coordination worsens and senses are dulled. Speech is blocked and incoherent. Chronic PCP users report persistent memory problems and speech difficulties. Mood disorders, such as depression, anxiety and violent behavior, may also occur. In late stages of chronic use, users often exhibit paranoid and violent behavior and experience hallucinations. Large doses may produce convulsions and coma, heart failure, lung problems and/or ruptured blood vessels in the brain. Lysergic acid (LSD), mescaline and psilocybin cause illusions and hallucinations. The physical effects may include dilated pupils, elevated body temperature, increased heart rate and blood pressure, loss of appetite, sleeplessness and tremors. Sensations and feelings may change rapidly. It is common to have a bad psychological reaction to LSD, mescaline and psilocybin. The user may experience panic, confusion, suspicion, anxiety and loss of control. Delayed effects or flashbacks can occur even after use has ceased.

**Inhalants.** The chemicals in most inhalants are rapidly absorbed in the lungs and exert their central nervous system effects within seconds, producing an altered mental state for about five to fifteen minutes. Immediate effects of inhalants include nausea, sneezing, coughing, nose bleeds, fatigue, lack of coordination and loss of appetite. Solvents and aerosol sprays can decrease the heart and respiratory rates and impair judgment. Amyl and butyl nitrite can cause rapid pulse, headaches and involuntary passing of urine and feces. Inhalation of toluene as well as other hydrocarbons has been associated with kidney and liver damage, peripheral nerve problems, convulsions, encephalopathy (organic brain damage) and other central nervous system disorders. Sudden death associated with both glue sniffing and especially the inhalation of aerosols containing

halogenated hydrocarbons (Freon) has been reported and is thought to be secondary to cardiac arrhythmias (abnormal electrical conduction patterns in the heart).

**Marijuana.** The short term effects of marijuana include distortion of time perception, increased heart rate, dilation of blood vessels and loss of short-term memory. Also decreased are visual perception and psychomotor skills, which have adverse effects on driving ability. The effects of long-term use include loss of motivation, chronic bronchitis, decreased vital lung capacity and an increased risk of lung cancer. Tolerance and psychological dependence do develop with marijuana.

**Designer Drugs.** Designer drugs are synthetic chemical modifications of older drugs of abuse that are designed and manufactured in covert laboratories and sold at great profit for recreational use. These drugs can be several hundred to several thousand times stronger than the drugs they are designed to imitate. Designer drugs similar to opiates include fentanyl, demerol, and "china white." The narcotic analogs of designer drugs can cause symptoms such as those seen in Parkinson's disease – uncontrollable tremors, drooling, impaired speech, paralysis, and irreversible brain damage. Analogs of amphetamines and methamphetamines cause nausea, blurred vision, chills or sweating and faintness. Psychological effects include anxiety, depression, and paranoia. Withdrawal problems include sweating, diarrhea, fever, insomnia, irritability, nausea and vomiting and muscle and joint pain.

### **University Penalties**

#### **Students.**

Any student who is determined through the regular disciplinary procedures of the University, to have violated the policy on the use of illicit drugs will be suspended from the University for no more than two years and no less than the remainder of the current semester.

University sanctions imposed for alcohol possession or consumption include the following.

» First offense – The student is placed on Conduct Probation for a period of six months and is required to attend an alcohol awareness class provided through the University's Counseling and Career Services office.

» Second offense – The student is placed on Disciplinary Probation for a period of twelve months. This sanction may include the condition that continued participation in campus activities will be curtailed or restricted for that same period.

» Third offense – The student is suspended from the University.

### Employees.

Observance of the policy regarding alcoholic beverages and illegal drugs is a condition of employment for all University employees. An employee violating this policy shall be subject to employment discipline up to and including termination, or shall be required to undergo satisfactory participation in a drug abuse assistance or rehabilitation program.

Any employee directly engaged in the performance of work pursuant to the provision of a federal grant or contract who is convicted of violating a criminal drug statute shall notify his/her immediate supervisor of the conviction no later than five days after the conviction. The immediate supervisor shall promptly report the conviction to the appropriate vice president and the Director of Research Services. On behalf of the University, the Director of Research Services shall notify the federal agency grantor or contractor of the conviction within ten days of the University's receipt of notice from the employee or of receipt of other actual notice.

### Federal Law

<u>Offense</u>	<u>Minimum Punishment</u>	<u>Maximum Punishment</u>
Manufacture, distribution or dispensing drugs (includes marijuana)	A term of imprisonment not more than 20 years, and a minimum fine of \$1,000,000	A term of life imprisonment without release (no eligibility for parole) and a fine not to exceed \$4,000,000 (for an individual) or \$20,000,000 (if other than an individual)
Possession of drugs (including marijuana)	Civil penalty in amount not to exceed \$10,000	Imprisonment for not more than 20 years or not less than 5 years, a fine of not less than \$5,000 plus costs of investigation and prosecution

Operation of a common carrier under the influence of alcohol or drugs and a fine		Imprisonment for up to 15 years not to exceed \$250,000
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**Texas Law**

<b><u>Offense</u></b>	<b><u>Minimum Punishment</u></b>	<b><u>Maximum Punishment</u></b>
Manufacture or delivery of controlled substances (drugs)	Confinement in the Texas Department of Criminal Justice State Jail facility for a term of not more than 2 years or less than 180 days, or confinement in a community correctional facility for not more than 1 year, and a fine not to exceed \$10,000	Confinement in TDCJ for life or for a term of not more than 99 years or less than 15 years, and a fine not to exceed \$250,000
Possession of controlled substances (drugs)	Confinement in jail for a term of not more than 180 days, and a fine not to exceed \$2,000	Confinement in TDCJ for life or for a term of not more than 99 years or less than 15 years, and a fine not to exceed \$250,000
Delivery of marijuana	Confinement in jail for a term of not more than 180 days, and a fine not to exceed \$2,000	Confinement in TDCJ for life or for a term of not more than 99 years or less than 15 years, and a fine not to exceed \$50,000
Possession of marijuana	Confinement in jail for a term of not more than 180 days, and a fine not to exceed \$2,000	Confinement in jail for a term of not more than 2 years or less than 30 days, or confinement in TDCJ for a term of not more than 10 years or less than 2 years and a fine of not more than \$10,000

Driving while intoxicated (includes intoxication from alcohol, drugs, or both)	Confinement in jail for a term of not more than two years or less than 72 hours, and a fine of not more than \$2,000	Confinement in jail for a term of not more than two years or less than 30 days, or confinement in TDCJ for a term of not more than ten years or less than two years and a fine of not more than \$10,000
Public intoxication		A fine not to exceed \$500
Purchase or consumption or possession of alcohol by a minor	Fine of not more than \$500	For a subsequent offense a fine of not less than \$250 nor more than \$2000
Sale of alcohol to a minor	Fine of not more than \$500	For a subsequent offense a fine of not less than \$250 nor more than \$2000 or confinement in jail for not more than 180 days or both

### **Counseling, Treatment and Rehabilitation**

#### **Students.**

Stephen F. Austin State University, through the Counseling and Career Services office, provides an alcohol/drug abuse prevention program which is available to all students. Program components include assistance in abstaining from the use of chemical substances, early intervention when chemical abuse is detected, and referral to a campus support system and/or a community referral for inpatient/outpatient services not available on campus. Medical counseling and printed information on chemical dependency are available through University Health Services, the campus student health facility. Students may seek individual counseling or request printed information at either campus location.

Prevention/Education. The objectives of this element of the assistance program are to: increase awareness of the students, faculty, and staff concerning the psychological and health risks associated with chemical use; provide information to students regarding a variety of wellness issues which promote successful college adjustment; and, orient students, faculty and staff to the services available through the assistance program. Presentations are available to student groups on a variety of topics including alcohol and substance abuse, adult children of alcoholics, assertiveness skills, stress and time

management, self-esteem and related issues. A group representative should contact the Counseling and Career Services office to schedule a presentation. The assistance program also offers an Alcohol Awareness Workshop. The four-hour workshop, divided into two sessions, provides basic information, tools for self-assessment, information on University and state regulations, and an orientation to the assistance program. Students may request to attend the workshop or be referred by the Dean of Student Development.

**Referral/Assessment.** Any SFA student requiring information about, or assistance with, a chemical abuse problem may be referred to the assistance program. A student may initiate a self-referral by contacting the Counseling and Career Services office; University faculty and staff may initiate a student referral. Participation by a student is voluntary, except when mandated by the Dean of Student Development. A staff counselor conducts an assessment interview on the student's initial visit to Counseling and Career Services and provides the student with details regarding confidentiality and record keeping requirements. The counselor informs the student of alternatives and makes recommendations based on the student's needs.

**Campus Support System.** The assistance program serves as a link between the individual student and support groups which are available for chemical dependency, adult children of alcoholics and victims of sexual abuse. Support groups function under guidelines established by Counseling and Career Services.

**Community Referral.** Services for chemical dependency are available in the Nacogdoches community and include: private practitioners offering individual counseling or intellectual/psychological assessment; self-help groups such as Alcoholics Anonymous and Narcotics Anonymous; and, inpatient/outpatient treatment.

### Employees.

University employees with supervisory responsibilities should be cognizant of employee behavior related to unacceptable job performance which may result from drug or alcohol abuse. Any decision to initiate employee counseling or a referral to Personnel Services should be based on the employee's unacceptable job performance. Employee counseling, referral and related record keeping should be conducted with the degree of care and confidentiality appropriate to such personnel matters. ~~Assistance beyond preliminary counseling through Personnel Services is available to University employees through the Employee Wellness Program with Memorial Hospital of Nacogdoches.~~ Alcohol and drug abuse seminars are among the services provided cost-free to University employees. Other services for employees with a chemical dependency are available in the community,

including private practitioners offering individual counseling, self-help groups such as Alcoholics Anonymous and Narcotics Anonymous, and inpatient/outpatient treatment at various health care facilities.

It is the intent of Stephen F. Austin State University to continue to strive for a drug-free campus and to comply with state and federal regulations regarding prevention programs established to eliminate the illegal use of drugs and alcohol abuse. To this end, Stephen F. Austin State University will provide annually to each student and employee a copy of this drug and alcohol abuse prevention program. In addition, the University will conduct a biennial review of this program implemented to provide a learning and working environment free of drug and alcohol use. The purposes of the biennial review will be to: 1) determine the effectiveness of the program and implement needed changes; and 2) ensure that the sanctions included in the program are consistently enforced. The University's General Counsel will be responsible for initiating the biennial review.

**Source of Authority:** P.L. 100-690, sec. 5151 et seq.; P.L. 101-226, which amends provisions of the Drug-Free Schools and Communities Act of 1986 and the Higher Education Act of 1965; General Appropriations Act; Board of Regents; President

**Cross Reference:** None

**Contact for Revision:** General Counsel

**Forms:** None

## **Loudspeakers**

**D-21**

Original Implementation: September 17, 1982

Last Revision: ~~October 14, 1997~~ *October 31, 2000*

Application to use loudspeakers on campus shall be made to the Dean of Student Development at least 24 hours in advance of the proposed use. Ordinarily, electronic loudspeakers may not be used outside on campus if such use would be disruptive. 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.

**Source of Authority:** Vice President for University Affairs

**Cross Reference:** *SFA Web pages* ~~Student Handbook and Activities Calendar~~

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

**Forms:** ~~None~~ *Reservation For Campus Grounds*



## Parades and Demonstrations

Original Implementation: July, 1980

Last Revision: ~~October 14, 1997~~ October 31, 2000

D-23

These rules shall govern the conduct of all parades and demonstrations on University property or at University-sponsored events.

1. These rules shall apply to:
  - a. students, faculty, and staff, and their approved organizations; and
  - b. all other persons and groups.
2. However, these rules do not apply to the University and its agents, servants, or employees acting in the course and scope of their agency or employment; and regularly scheduled classes offered for academic credit.
3. Parades and demonstrations must be conducted in compliance with these rules and University policy and must not:
  - a. result in a breach of peace or violation of law;
  - b. interfere with the free and unimpeded flow of pedestrian and vehicular traffic on campus or the entry or exit to University buildings; or
  - c. materially disrupt or interfere with the normal activities of the University.
4. No person conducting or participating in a parade or demonstration on University property or at University-sponsored events may advocate the deliberate violation of the law. For the purposes of this section, "advocacy" means preparing the group addressed for imminent action and steeling it to such action, as opposed to the abstract espousal of the moral propriety of a course of action.
5. No parade or demonstration shall take place in any building or structure on the University campus.
6. Students, faculty, and staff, and their approved organizations, may demonstrate in the Free Expression Area of the University between the hours of 8:00 a.m. and 7:00 p.m., Monday through Saturday. Reservations must be made in writing through the Office of Student Development at least forty-eight (48) hours in advance of the activity in order to facilitate orderly scheduling of the area.
7. Students, faculty, and staff, and their approved organizations, must secure a valid University ~~permit~~ *Reservation For Campus Grounds form* to conduct a parade or demonstration outside the Free Expression Area. Application for the permit must be made through the Office of Student Development at least forty-eight (48) hours in advance of the activity. This advance notice allows the University the opportunity to avoid the problem of simultaneous and competing parades or demonstrations and to arrange for adequate security. The application for a University permit shall require the applicant to provide his/her name, address, and phone number. Further, the application must be signed and dated by the applicant.
8. All other persons and groups may assemble and demonstrate only in the Free Expression Area between the hours of 8:00 a.m. and 7:00 p.m., Monday through Saturday. ~~Reservations must be~~

~~made in writing through~~ *A Reservation For Campus Grounds form must be completed in the Office of Student Development at least forty-eight (48) hours in advance of the activity.* |

**Source of Authority:** United States Constitution, Amendments I and XIV; President; Vice President for University Affairs

**Cross Reference:** ~~Student Handbook and Activities Calendar~~ *SFASU Web pages* |

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

**Forms:** ~~None~~ *Reservation For Campus Grounds* |

## **Public/Student Health**

**D-26**

Original Implementation: February 29, 1988

Last Revision: ~~October 14, 1997~~ October 31, 2000

Stephen F. Austin State University recognizes an obligation to promote public health on campus by 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.

A Public/Student Health Committee, consisting of appropriate faculty and staff members appointed by the Vice President for University Affairs, will coordinate University efforts to fulfill the responsibility concerning public health. In carrying out its tasks, the Committee shall follow the guidelines of recognized authorities including: The National Center for Disease Control, the United States Public Health Service, the Texas Department of Health, and the American College Health Association. Further, the Committee shall conform its actions to the Texas Communicable Disease Prevention and Control Act and other law.

When circumstances arise that require review, the Vice President for University Affairs will seek the advice of the Public Health Committee, the Director of University Health Services, and/or other relevant parties. In the event of public inquiry concerning University policy on public health or health-related matters at SFASU, the Director of Public Information will serve as the official spokesperson for the University. Medical records of individuals shall remain confidential, but public information shall be disclosed upon request in accordance with the Texas Open Records Act and the Family Educational Rights and Privacy Act. Requests for such information should be referred to the University's General Counsel.

**Source of Authority:** Vice President for University Affairs

**Cross Reference:** None

**Contact for Revision:** Vice President for University Affairs

**Forms:** None

## Students Displaying Serious Psychological Problems

D-35

Original Implementation: October 12, 1982

Last Revision: ~~October 14, 1997~~ October 31, 2000

### Procedures Regarding Students Displaying Serious Psychological Problems

Serious psychological problems include, but are not limited to,

- a. instances of actual or potential harm to the physical well-being of the student or others,
- b. significant disruptive activity caused by psychological problems.

The personnel of all departments of the University are expected to inform the Dean/Associate Dean of Student Development of any instance of students exhibiting serious psychological problems. It shall be the responsibility of the Dean/Associate Dean of Student Development to coordinate the initial evaluation of the student's condition. The University Health Services and Counseling and Career Services may be involved in this evaluation, and other agencies of the University which are involved in or have knowledge of incidents involving the student, may be asked to provide information for this evaluation.

If the Dean/Associate Dean of Student Development believes that it would be in the best interest of the student or the University community to consider involuntary withdrawal of the student from the University or any class, program, or service of the University, the matter may be referred to the Hearing Board.

The Hearing Board shall be composed of three members appointed by the Vice President for University Affairs: a physician from the University Health Services, a counselor from Counseling and Career Services, and a staff member from the Office of Student Development, with either the physician or the counselor appointed as chairperson. Board members shall be appointed for two-year terms with terms of the physician and the counselor staggered.

The chairperson of the Hearing Board shall give written notice of the hearing to the student at least three University business days from the date of the hearing. The hearing shall be closed unless the student requests otherwise. All evidence pertaining to the case will be presented at the hearing.

At the hearing, the chairperson of the Hearing Board shall rule on all procedural matters and the admissibility of evidence. The informal nature of this proceeding does not require strict adherence to formal courtroom procedures or rules of evidence. The student shall have the right to be present during the presentation of all evidence, to be accompanied by an advisor, to present such witnesses and documentary evidence as may be pertinent, and to cross-examine witnesses offered by other parties. All parties shall be afforded the opportunity for reasonable oral argument, and shall be permitted to file written briefs.

The record of the hearing ~~will~~ *may* consist of the summary notes of the chairperson or a secretary appointed by the Board, a tape recording or transcription of testimony, along with any exhibits admitted as evidence.

Immediately after the hearing the Board shall decide upon a recommendation to make to the Vice President for University Affairs. The recommendation may include withdrawal of the student from the University or any class, program or service. The recommendation along with the record, shall be forwarded to the Vice President for University Affairs by the chairperson of the Hearing Board

as soon as possible, but no more than three University business days from the adjournment of the hearing.

Within five University business days from the receipt of the recommendation of the Hearing Board, the Vice President for University Affairs shall either concur, in whole or in part, with the recommendation of the Hearing Board and direct appropriate action to implement the recommendation, or shall overrule the recommendation.

In cases where a student has been involuntarily withdrawn from the University, the Vice President for University Affairs shall direct the Dean/Associate Dean of Student Development to send to the student who has been withdrawn a letter stating that the student is barred from re-enrollment to the University until certain conditions are met. A letter shall also be sent to the Office of Admissions requesting that the student's re-enrollment be blocked until approval for re-admission is obtained from the Dean/Associate Dean of Student Development. A notation shall be placed on the student's record until re-admission is approved.

#### **Emergency Situations**

If the Dean/Associate Dean of Student Development believes that an immediate threat of harm or bodily injury to any person exists as a result of a student's manifestation of serious psychological problems, the Dean/Associate Dean may involuntarily withdraw the student from the University immediately.

In the event of immediate withdrawal, the Dean/Associate Dean of Student Development shall inform the student that he/she is entitled to a hearing to be held within five University business days if the student so desires. Hearing procedures as outlined above will then be followed with the final decision made by the Vice President for University Affairs. The terms of the withdrawal shall be in effect during the hearing process with the University making every attempt to conduct the hearing as expeditiously as possible.

In certain instances it may also be necessary to make use of civil procedures to seek confinement of a student in public or private mental health facilities. These procedures are outlined by law and include an evaluation by qualified mental health professionals and action by a civil court. In emergency situations, these procedures may be instituted by the Dean/Associate Dean of Student Development, University Police Department, or others designated by the Vice President for University Affairs. In cases where a court has directed that a student shall be confined under an order of temporary hospitalization or indefinite commitment, and the student is absent a significant number of class days pursuant to that order, the Dean/Associate Dean of Student Development may withdraw the student from the University.

**Source of Authority:** Board of Regents, President

**Cross Reference:** SFASU Web Pages

**Contact for Revision:** President

**Forms:** None

## Guest Speaker

Original Implementation: July, 1980

Last Revision: ~~October 14, 1997~~ October 31, 2000

F-15

These rules shall govern the invitation and presentation of guest speakers on University property or at University-sponsored events.

1. These rules do not apply to:

- a. regularly scheduled classes offered for academic credit;
- b. activities sponsored by the Division of Continuing Education; ~~or~~
- c. professional conferences sponsored directly by ~~an academic~~ a university department; ~~or~~
- d. activities sponsored by non university entities in rented university facilities.

2. For the purpose of these rules, "guest speaker" means a person invited and appearing to speak on University property or at a University-sponsored event who is presently not enrolled as a student nor employed by the University.

3. Only registered student, faculty, or staff organizations *or non university entities renting university facilities* may invite and present guest speakers on University property or at University-sponsored events. ~~All presentations of guest speakers must be scheduled at least forty-eight (48) hours in advance with the Office of Student Development. This advance notice allows the University the opportunity to avoid the problem of simultaneous and competing speakers and to arrange for adequate security.~~

4. The organization sponsoring a guest speaker has the responsibility of making clear the fact that the organization, not the University, is extending the invitation to speak and that any views or opinions the speaker may express are his own and not necessarily those of the University.

5. Registered student, faculty, or staff organizations *and non university entities* may be permitted the use of University facilities to present guest speakers on University property or at University-sponsored events pursuant to the Use of University Facilities policy.

6. An application for the use of any University facility shall be made to the appropriate University official at least forty-eight (48) hours before the time the event is scheduled to take place.

7. No guest speaker who is to be paid from University funds as consideration for his/her speech shall be permitted to speak on the University campus unless the University facility in which the speech is to be delivered will be open to the public, including members of the news media. *The sponsoring organization must follow the Professional and Consulting Services policy when contracting a speaker.*

8. The presentation of guest speakers must not:

- a. result in a breach of peace or violation of law;
- b. interfere with the free and unimpeded flow of pedestrian and vehicular traffic; or
- c. materially disrupt or interfere with the normal activities of the University.

9. No guest speaker may:

- a. present material that is obscene or libelous; or

b. advocate the deliberate violation of law. For the purposes of this section, "advocacy" means preparing the group addressed for imminent action and steeling it to such action, as opposed to the abstract espousal of the moral propriety of a course of action.

**Source of Authority:** United States Constitution, Amendments I and XIV; President; Vice President for University Affairs

**Cross Reference:** ~~Student Handbook and Activities Calendar~~ *SFASU Webpages* |

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

**Forms:** None

## Accessibility for Persons with Disabilities

F-16

Original Implementation: Unpublished

Last Revision: July 14, 1998 October 31, 2000

Stephen F. Austin State University does not discriminate on the basis of disability in admission to, access to, or operations of its programs, services or activities, including hiring or employment practices.

The University is committed to providing equal opportunities in higher education to academically qualified students with disabilities who demonstrate a reasonable expectation of college success. Students with disabilities who attend SFA will be integrated as completely as possible into the University community. The University shares responsibility with the student for modifying campus facilities and programs to meet individual need.

Compliance with Section 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act, is coordinated through the office of Disability Services. Department heads and directors in academic and non-academic divisions have primary responsibility for providing access to programs and activities in their respective divisions and for seeking assistance to insure physical access to facilities in which those programs are offered. Disability Services works directly with students with disabilities, individual faculty members, and academic departments in the provision of classroom accommodations, and assists other University departments in providing access and coordinating accommodations for programs, activities and services offered by the University outside the classroom.

*Requests for employment accommodations for employees with disabilities are submitted to the director of Human Resources for faculty and staff, or to the associate director of Career Services for student employees, who, with assistance from Disability Services and a review committee if needed, makes employment accommodations based on individual need.*

Requests for ~~Housing~~housing accommodations for students with disabilities are submitted to the ~~d~~Director of Housing who, with assistance from Disability Services and a review committee if needed, makes housing assignments based on individual need.

For specific information regarding provision of academic assistance, refer to Policy F-33, Academic Accommodation of Students with Disabilities. For specific information regarding resolution of disagreements, refer to Policy F-34 Appeal Procedure Relating to the Provision of Accommodations for Students with Disabilities.

**Source of Authority:** Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990

**Cross Reference:** Appeal Procedure Relating to the Provision of Accommodations for Students with Disabilities F-34; Academic Accommodation of Students with Disabilities F-33



**Contact for Revision:** Director of Disability Services

**Forms:** None

## Scholarship Disbursement

F-24

Original Implementation: March 9, 1988

Last Revision: ~~July 15, 1997~~ October 31, 2000

*Title IV regulations of the Higher Education Act of 1965 (as amended) which govern the federal student financial aid programs require that a participating institution has a central source to coordinate all financial awards to its students. To assure university-wide coordination of all scholarships and other student financial assistance, all disbursements of assistance other than student employment or graduate assistantships should be coordinated by the Student Financial Aid office.*

*All scholarships and financial aid should be recorded on the financial aid management system and disbursed using the university disbursement system normally used for student financial assistance. Prior to disbursement to the student, any debt owed by the student will be deducted from the award.*

1. To facilitate payment of the award, ~~any~~ the awarding department selecting a scholarship recipient must send to the Financial Aid Office Scholarship Coordinator a completed "Disbursement Request Form" which contains the information listed below:
  - a. Name of scholarship
  - b. Account number
  - c. Recipient's name
  - d. Social security number
  - e. Specific award period (i.e., fall and/or spring, summer session I and/or summer session II)
  - f. Dollar amount for each award period
  - g. Dean/Chair's signature, date, department and phone number
2. The department should provide any special criteria associated with the scholarship, such as:
  - a. Is this a renewal scholarship?
  - b. Must student be enrolled in a specific course or major?
  - c. Can funds be applied to any term (i.e., first term student registers)?
  - d. Are there any required report dates?
3. Once disbursement is received, enter into the computer and credit bill.
  - a. If needed, a revised award letter will be issued reflecting the change of financial aid award.
  - b. After the bill is credited, any remaining funds will be issued to student.
4. In order to credit scholarship funds to pre-registered bills, requests for disbursement must be received by the Financial Aid Office by the dates indicated below:

May 1 for Summer I  
July 1 for Summer II  
August 1 for Fall  
December 15 for Spring

5. The donor or account manager of the scholarship program decides whether funds should be repaid should the student drop a specific course or withdraw from school. The donor or account manager then contacts Financial Aid whether or not to charge back the funds and issue a bill to the student.

**Source of Authority:** President, Vice President for ~~University~~ *Business Affairs* |

**Cross Reference:** None

**Contact for Revision:** Director of Financial Aid

**Forms:** Disbursement Request Form