

# **Stephen F. Austin State University**

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



**Nacogdoches, Texas**

**October 23, 2003  
Volume 192**

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

OCTOBER 23, 2003

The meeting was called to order at 9:03 a.m. by Chair Kenneth James. Board members present in Room 307: Penny Butler, Margarita de la Garza Grahm, Kenneth James, Mike Enoch, Gary Lopez, Susan Roberds, Lyn Stevens, Mike Wilhite and Fred Wulf. Absent: none.

Others present in Board Room 307: Tito Guerrero, Mary Cullinan, Jerry Holbert, Miles McCall, Baker Pattillo, Roland Smith, Yvette Clark, and other SFA administrators, staff, and visitors.

Executive Session was announced at 9:50 a.m. and returned to Open Session at 2:40 p.m.

**04-01**

Upon motion of Regent Roberds, seconded by Regent Butler, with all members voting aye, it was ordered that the minutes of July 15, 2003 be approved.

**04-02**

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

1. Communication

Ms. Linda Bond, Instructor, MA (University of Texas – Permian Basin), at a salary of \$39,000 for 100% time for nine months, effective September 1, 2003.

2. College of Education

Ms. George Ann Leonard, Certification Officer/PBIC Manager, M.Ed. (Stephen F. Austin State University), at a salary of \$40,000 for 100% time for twelve months, effective September 29, 2003.



3. Forestry

Dr. I-Kuai Hung, Assistant Professor, Ph.D. (Stephen F. Austin State University), at a salary of \$50,000 for 100% time for nine months, effective September 1, 2003.

4. Human Sciences

Dr. Hung-Sheng Lai, Assistant Professor, Ph.D. (Texas Tech University), at a salary of \$45,000 for 100% time for nine months, effective September 1, 2003.

5. Mathematics and Statistics

Dr. John L. McClain, Visiting Assistant Professor, Ph.D. (Texas A&M University), at a salary of \$45,469 for 100% time for nine months, effective September 1, 2003.

6. Nursing

Ms. Sara Bishop, Clinical Instructor, MSHP (Southwest Texas State University), at a salary of \$42,000 for 100% time for nine months, effective September 1, 2003.

Ms. Wendy Burr, Clinical Instructor, BSN (Stephen F. Austin State University), at a salary of \$36,000 for 100% time for nine months, effective September 1, 2003.

Ms. Della Connor, Clinical Instructor, MSN (University of Texas Medical Branch – Galveston), at a salary of \$30,000 for 100% time for nine months, effective September 1, 2003.

Ms. Toni McDonald, Clinical Instructor, MSN (University of Texas – Arlington), at a salary of \$40,000 for 100% time for nine months, effective September 1, 2003.

Ms. Ellen Mishra, Clinical Instructor, MSN (University of Missouri – Columbia), at a salary of \$40,000 for 100% time for nine months, effective September 1, 2003.

7. Physics and Astronomy

Mr. Deric J. Gray, Visiting Lecturer, B.S. (Oregon State University), at a salary of \$36,000 for 100% time for nine months, effective September 1, 2003.

8. Political Science

Mr. Michael Pennington, Instructor, M.P.A. (West Virginia University), at a salary of \$33,000 for 100% time for nine months, effective September 1, 2003, contingent upon completion of doctorate degree by May 30, 2004.

9. Secondary Education

Dr. Hugh Hayes, Assistant Professor, Ed.D. (East Texas State University), at a salary of \$52,000 for 100% time for nine months, effective September 1, 2003.

Dr. David Hollier, Assistant Professor, Ed.D (University of Houston), at a salary of \$42,000 for 100% time for nine months, effective September 1, 2003.

Dr. Amanda M. Rudolph, Visiting Professor, Ph.D. (University of Arkansas), at a salary of \$42,000 for 100% time for nine months, effective September 1, 2003.

10. Athletics

Mr. Louis Snelling, Assistant Track Coach at a salary of \$23,000 for 100% time for 10.5 months, effective August 25, 2003.

Ms. Stephanie McDonald, Assistant Athletic Director for Student Services (and Senior Women's Administrator) at a salary of \$48,500 for 100% time for twelve months, effective August 29, 2003.

Mr. Gustave Younger, Assistant Athletic Trainer at a salary of \$30,000 for 100% time for 10.5 months, effective September 4, 2003.

11. Academic Affairs

Ms. Gina Oglesbee, Budget Coordinator – Academic Affairs at a salary of \$50,000 for 100% time for twelve months, effective November 3, 2003.

12. Environmental Health, Safety, and Risk Management

Mr. Jeremy Higgins, Director, at a salary of \$58,000 for 100% time for twelve months, effective January 1, 2004.

13. Enrollment Management

Ms. Monique Cossich, Executive Director, at a salary of \$80,000 for 100% time for twelve months, effective November 17, 2003.

**04-03**

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

1. Academic Affairs

Dr. Marlin Young, from Interim Associate Provost and Professor of Business at a salary of \$116,000 for 100% time for twelve months, to Associate Provost and Professor of Business at a salary of \$116,000 for 100% time for twelve months, effective September 1, 2003.

2. Admissions

Ms. Carolyn Hardy, from Assistant Director of Admissions at a salary of \$39,901 for 100% time for twelve months, to Interim Director of Admissions at a stipend of an additional \$1,674.92 per month for up to three months or until the Director of Enrollment Management position is filled.

3. Applied Arts and Sciences

Dr. Linda Morales, from Assistant Professor at a salary of \$42,631 for 100% time for nine months, to Interim Associate Dean and Director of the School of Social Work at a stipend of \$11,611 per semester until position is filled.

4. ECH Lab

Ms. Elizabeth Reid, from Assistant Director/Administrative Assistant at a salary of \$29,658.07 for 100% time for twelve months, to Assistant Director at a salary of \$30,062 for 100% time for twelve months.

5. University Affairs

Dr. Peggy Scott, from Associate Dean of Student Development at a salary of \$49,001 at 100% time for twelve months, to Judicial Officer at a salary of \$49,001 for 100% time for twelve months, effective August 1, 2003.

6. Intramurals

Mr. Mark Jackson, from Intramural Supervisor at a salary of \$26,537 at 100% time for 10.5 months, to Intramural Supervisor at a salary of \$22,746 for 100% time for nine months, effective September 1, 2003.

7. Housing

Ms. Ashley Watson, from Coordinator of Residence Life at a salary of \$35,251 at 100% time for twelve months, to Assistant Director of Housing at a salary of \$41,251 at 100% time for twelve months, effective September 1, 2003.

Ms. Charlotte Lisenby, from Area Coordinator at a salary of \$25,219 at 100\$ time for twelve months, to Coordinator of Residence Life at a salary of \$30,000 at 100% time for twelve months, effective September 1, 2003.

Ms. Michele Haddox, from Associate Director of Housing at a salary of \$44,597 at 100% time for twelve months, to Associate Director of Housing at a salary of \$47,097 at 100% time for twelve months, effective September 1, 2003.

8. Athletics

Ms. Debora Humphreys, from Head Volleyball Coach (and Senior Women's Administrator) at a salary of \$55,337 at 100% time for 10.5 months, to Head Volleyball Coach at a salary of \$54,337 at 100% time for 10.5 months, effective September 1, 2003.

Mr. Jamie Frias, from Assistant Soccer Coach at a salary of \$20,000 at 75% time for 10.5 months, to Assistant Soccer Coach at a salary of \$22,000 at 100% time for 10.5 months, effective September 1, 2003.

Ms. Aimee Vaughn, from Assistant Softball Coach at a salary of \$21,000 at 75% time for 10.5 months, to Assistant Softball coach at a salary of \$22,000 at \$100% time for 10.5 months, effective September 1, 2003.

9. Controller's Office

Ms. Tamara J. Hart, from Accountant III at a salary of \$44,376 for 100% for twelve months to Manager at a salary of \$48,000 for 100% for twelve months, effective August 18, 2003.

**04-04**

Upon motion of Regent Enoch, seconded by Regent Butler, with all members voting aye, it was ordered that the following retirement be accepted.

1. Admissions

Mr. Roger Bilow, Director of Admissions, effective August 31, 2003.

**04-05**

Upon motion of Regent Butler, seconded by Regent Roberds, with all members voting aye, it was ordered that the following leaves of absence without pay be approved.

1. Agriculture

Craig H. Morton, Assistant Professor on military leave for Fall, 2003.

2. English and Philosophy

Nikola Petkovic, Assistant Professor, on leave for Fall, 2003.

3. Physics and Astronomy

Donald E. Bowen, Professor, on leave for Fall, 2003 and Spring, 2004.

**04-06**

Upon motion of Regent Roberds, seconded by Regent Butler, with all members voting aye, it was ordered that the following Academic and Student Affairs items be approved.

A. **Underenrolled Classes** - the Fall 2003 Underenrolled Class List was approved as presented.

B. **Approval to Offer Web-based Course** - the request by Elementary Education to offer the Professional Reading Specialist Program as a Web-based program was approved.

**04-07**

Upon motion of Regent Wulf, seconded by Regent Lopez, with all members voting aye, it was ordered that the following Financial Affairs items be approved.

A. **University Center Fee** - the \$9 per semester credit hour University Center Fee was approved, effective with registrations for Spring 2004, subject to the minimum and maximum specified by House Bill 882, 78<sup>th</sup> Regular Session of the Texas Legislature.

B. **Designated Tuition Rate** - a designated tuition rate of \$46 per semester credit hour was approved, effective beginning with registration for the Spring 2004 semester.

C. **Resolution (Amended) Authorizing a Request for Financing – University Center** - the amended Resolution Authorizing a Request for Financing, shown in

Appendix No. 1, was approved in an amount not to exceed \$30,000,000 to fund the University Center construction and renovation project and bond issuance costs. The further limitation on the size of the bond issue is subject to the interest rate at issuance and the estimated revenue stream provided by the University Center fee effective with registrations for the Spring, 2004 semester. Any excess of project costs and bond issuance costs over bond proceeds will be paid from the designated funds fund balance. The existing condition providing for reimbursement of project costs from bond proceeds would remain.

- D. Resolution Declaring Expectation to Reimburse Expenditures With Proceeds of Future Debt** - the resolution was adopted as presented.
- E. Fund Manager Changes** - the fund manager changes proposed by Merrill Lynch were approved. Lord, Abbett & Co. LLC, was replaced by Furman Selz Capital Management for fixed security management, and Kayne Anderson Rudnick Investment Management LLC, was replaced by NFJ Investment Group LP/PIMCO Allianz Advisors LCC in the equity portion of the portfolio. To further improve diversification, 50% of the value portion of the portfolio is transferred from John A. Levin to MLIM L.P.
- F. Music Fees** – the schedule of course fee additions and changes for the 2003-2004 academic year shown below was approved. The amended course-fee schedule will be effective with registration for the Spring 2004 semester.

#### **MODIFICATIONS TO SCHEDULE OF COURSE FEES**

##### **College of Fine Arts**

<b>Course Prefix</b>	<b>Course Number</b>	<b>Course Name</b>	<b>Current Course Fee</b>	<b>Proposed Course Fee</b>
MUP	301	Brass Class I	24.00	32.00
MUP	302	Brass Class II	24.00	32.00
MUP	303	Woodwind Class I	24.00	32.00
MUP	304	Woodwind Class II	24.00	32.00
MUP	305	Percussion Class	24.00	32.00
MUP	307	String Class	24.00	32.00
MUP	310	Instrumental Seminar	24.00	32.00

- G. Budget Changes Less Than \$50,000** – no board action was required.
- H. Addendum item for Marketing Budget** was tabled and will be brought back at a called meeting.

#### **04-08**

Upon motion of Regent Wilhite, seconded by Regent Wulf, with all members voting aye, it was ordered that the following Buildings and Grounds items be approved.

- A. Architectural and Engineering Services** - approval was given for the selection of five firms. Prices will be negotiated annually and contracts may be renewed for four additional years. Contracts will be issued to a maximum of three architectural firms, one mechanical/electrical engineering or energy performance consulting firms and one civil engineering firm. The President will be authorized to sign contracts with the following firms:

Scott and Strong - Lufkin  
Morgan Hill Sutton & Mitchell - Lufkin  
Friberg Associates - Fort Worth  
BarWin Consultants Nacogdoches (HUB Male/Asian)  
Hunter Moody Architects Houston (HUB Woman/Female)

- B. Concrete Contract** - the President was authorized to sign a blanket contract with Cox Concrete Contractors, Inc. for minor improvements of \$25,000 or less involving concrete site repair, concrete new construction, and other associated minor alterations. The contract will be for one year with one annual renewal, subject to administrative approval.

- C. Addendum: Sale of Real Estate** was removed from the agenda. No action was taken.

#### **04-09**

Upon motion of Regent Roberds, seconded by Regent Butler, with all members voting aye, it was ordered that the policy revisions be approved as presented.

#### **04-10**

There was no action required regarding the reporting responsibilities and procedures for the Office of Audit Services. The Audit Services budget will be submitted to the Finance Committee at the same time that the University budget is submitted.

#### **04-11**

Upon motion of Regent Roberds, seconded by Regent Wulf, with all members voting aye, it was ordered that the name and title of Dr. Baker Pattillo, Vice President for University Affairs, be added to the plaque on the University Center when completed.

## Reports

- A. Forestry
  - 1. Proposed Masters in Resource Interpretation
  - 2. Parks and Recreation Fee
- B. Recognition of ITS, HUES GIS and FRI Lab Personnel
- C. Update on University Center Expansion and Renovation
- D. Faculty Senate
  - 1. Faculty Service Achievements
  - 2. Faculty as an integral part of Recruitment and Retention
  - 3. Strategic Plan comments
  - 4. Issues under review by Faculty Senate
- E. Student Government Association
  - 1. Parking
  - 2. Commencement
  - 3. Cooperative efforts between SFA and City of Nacogdoches
- F. Vice President for Alumni Affairs
  - 1. Homecoming
- G. Vice President for University Advancement
  - 1. 2003 Cumulative Giving Report
  - 2. Marketing Report
- H. President
  - 1. Enrollment Overview
  - 2. Meet the Lumberjack Basketball Teams (October 28, 2003)
  - 3. Coordinating Board Meeting (October 30, 2003)
  - 4. Coordinating Board Training for New Board Members (December 10 & 11, 2003)
  - 5. Coordinating Board Finalists for the Star Award (AARC and FRI)
  - 6. Fall Commencement (December 20, 2003)
  - 7. Meeting of the Board of Regents in January
  - 8. Strategic Plan
  - 9. Answer Questions from Members of the Board of Regents

Meeting adjourned at 3:35 p.m.



RESOLUTION AUTHORIZING A REQUEST FOR FINANCING

Stephen F. Austin State University  
University Center Expansion and Renovation

WHEREAS, the Texas Public Finance Authority (the "Authority") has the exclusive authority to act on behalf of Stephen F. Austin State University (the "University") in the issuance of bonds pursuant to Tex. Rev. Civ. Stat., art. 601d as amended; and

WHEREAS, the University has been authorized to acquire, purchase, construct, improve, renovate, enlarge, or equip property, buildings, structures, facilities, roads or related infrastructure to be financed by the issuance of bonds or other authorized financing mechanism pursuant to Texas Education Code 55.17 in the aggregate principal amount not to exceed \$30,000,000; and

WHEREAS, the Board of Regents of Stephen F. Austin State University (the "Board of Regents") now desires to approve and authorize financing to enable the University to acquire, purchase, construct, improve, renovate, enlarge, or equip property, buildings, structures, facilities, roads or related infrastructures, and authorizes the President of the University (the "President") or designees to submit requests for financing to the Authority from time to time to issue bonds or other authorized financing mechanism in an aggregate amount not to exceed \$30,000,000 to enable the University to acquire, purchase, construct, improve, renovate, enlarge, or equip property, buildings, structures, facilities, roads or related infrastructures and to take other actions related thereto.

THEREFORE, BE IT RESOLVED BY THE BOARD OF REGENTS OF STEPHEN F. AUSTIN STATE UNIVERSITY THAT:

- 1) The University is duly authorized by law pursuant to Texas Education Code, Section 57.17 to acquire, purchase, construct, improve, renovate, enlarge, or equip property, buildings, structures, facilities, roads or related infrastructures to be financed by the issuance of bonds or other authorized financing mechanism in accordance with Texas Education Code, Chapter 55, Subchapter B in the aggregate amount not to exceed \$30,000,000;
- 2) Dr. Tito Guerrero, President, or his designee is hereby authorized and directed to submit requests from time to time to the Authority to issue bonds or other authorized financing mechanism in an aggregate amount not to exceed \$30,000,000 in order that the University may acquire, purchase, construct, improve, renovate, enlarge, or equip property, buildings, structures, facilities, roads or related infrastructures as these projects are specifically approved by the Board of Regents and further approved by the Texas Higher Education Coordinating Board as may be required;
- 3) the President is hereby further authorized to approve, execute, and deliver or cause to be delivered those documents and such other instruments including but not limited to the financing documents required by the Authority's rules, and to take such other

actions as are necessary and appropriate in connection with the issuance, sale, or delivery of the bonds or other authorized financing mechanism;

- 4) due notice of the meeting and the subject matter of this Resolution was given as required by law; and that a quorum of the Board of Regents was present at the meeting at which this resolution was considered.

Adopted/Rejected by a vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays effective as of \_\_\_\_\_, 2003.

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Chairman, Board of Regents  
Stephen F. Austin State University

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Secretary, Board of Regents  
Stephen F. Austin State University

**Board of Regents  
Stephen F. Austin State University  
Nacogdoches, Texas**

**RESOLUTION DECLARING EXPECTATION TO REIMBURSE  
EXPENDITURES WITH PROCEEDS OF FUTURE DEBT**

**WHEREAS**, Stephen F. Austin State University (the "University") intends to make a capital expenditure not to exceed \$30,000,000 for renovation and expansion of the University Center on its campus in Nacogdoches, Texas (the "Project"), which is to be funded in part with proceeds of bonds to be issued by the Texas Public Finance Authority (the "Authority") as authorized by House Bill 1077, Acts of the 75<sup>th</sup> Legislature, Regular Session (1997); and

**WHEREAS**, the University intends to expend an amount not to exceed \$30,000,000 (the "Expenditure") for Project costs and intends Project expenditures to be reimbursed from proceeds of bonds to be issued by the Authority for the Project; and

**WHEREAS**, under Treas. Reg. Section 1.103-19 (the "Regulation"), to fund such reimbursement with proceeds of tax-exempt obligations, the University must declare its expectation of such reimbursement before making the Expenditure; and

**WHEREAS**, the University and the Authority desire to preserve the ability to reimburse the Expenditure with proceeds of tax-exempt obligations;

**NOW, THEREFORE, THE UNIVERSITY HEREBY RESOLVES** that it reasonably expects to reimburse Project expenditures with the proceeds of the bonds to be issued hereafter by the Authority, and this Resolution shall constitute a declaration of official intent under the Regulation.

**BE IT FURTHER RESOLVED** that a copy of this resolution be spread upon the minutes of the October 23, 2003 meeting of the Board of Regents of Stephen F. Austin State University.

This Resolution will be available for public inspection at the office of the Authority at 300 West 15<sup>th</sup> Street, Suite 411, Austin, Texas, and at the office of the University at 1936 North Street, Austin Building, Office 315, Nacogdoches, Texas.

**Adopted/Rejected by a vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, effective as of \_\_\_\_\_, 2003.**

\_\_\_\_\_  
Kenneth James, Chairman  
Board of Regents  
Stephen F. Austin State University

\_\_\_\_\_  
Fred Wulf, Secretary  
Board of Regents  
Stephen F. Austin State University

Stephen F. Austin State University  
Schedule of Budget Increases  
July 2, 2003 to September 9, 2003

ACTIVITY RECIPIENT		INCOME SOURCE		DATE
ACCOUNT NAME	ACCOUNT NUMBER	SOURCE DESCRIPTION	AMOUNT	
Ag Small Animal	1-00604	Overrealized Income	2,836	July 3, 2003
Ag Swine Farms Ops	1-00605	Overrealized Income	2,855	July 3, 2003
SGA Discretionary	5-91398	Overrealized Income	3,560	July 9, 2003
Early Childhood Supply Fee	2-30530	Overrealized Income	1,490	July 9, 2003
Hospitality Administration	5-91318	Overrealized Income	150	July 9, 2003
Agricultural Development	5-91347	Overrealized Income	200	July 15, 2003
Fine Arts Dean's Discretionary	5-96621	Overrealized Income	9,061	July 15, 2003
SORF Revenue	3-00451	Overrealized Income	20	July 15, 2003
Early Childhood Res Ctr	2-30539	Overrealized Income	1,963	July 15, 2003
Early Childhood Incidentals	2-30500	Overrealized Income	6,000	July 15, 2003
Health Services	3-00445	Overrealized Income	4,000	July 24, 2003
Art	5-96070	Overrealized Income	2,297	July 30, 2003
Computer Science	2-01500	Overrealized Income	11,956	August 6, 2003
SORF Revenue	3-00451	Overrealized Income	115	August 8, 2003
SORF Revenue	3-00451	Overrealized Income	105	August 8, 2003
SORF Revenue	300-451	Overrealized Income	24	August 8, 2003
All-Girl Cheerleader	5-91400	Overrealized Income	6,261	August 8, 2003
Physics	2-05400	Overrealized Income	1,452	August 12, 2003
Distance Learning Fee	2-51407	Overrealized Income	50,000	August 13, 2003
Co-Ed Cheer Discretionary	5-91399	Overrealized Income	6,100	August 13, 2003
Parent Club	5-91336	Overrealized Income	6,000	August 13, 2003
Soil Testing Lab	1-00601	Overrealized Income	4,500	August 15, 2003
Pom Squad Discretionary	5-91397	Overrealized Income	2,464	August 29, 2003
Ag Small Animal	1-00604	Overrealized Income	1,063	August 29, 2003
Friends of Music	5-96340	Overrealized Income	619	September 4, 2003
Elementary Ed Development	5-91333	Overrealized Income	3,838	September 9, 2003
Pineywoods Plant Center	5-91323	Overrealized Income	1,170	September 9, 2003
Elementary Ed Course Fee	2-02110	Overrealized Income	6,578	September 9, 2003
SFA Arboretum	5-94391	Overrealized Income	7,240	September 9, 2003
Agricultural Development	5-91347	Overrealized Income	729	September 9, 2003
TOTAL			144,646	

**Policies for Board Review  
October 23, 2003**

B-1	Use of University Facilities	Reviewed, no changes made
B-4	Camp and Conference Reservations	Removed reference to Continuing Education sponsorships; meal and hall access tickets provided at a price per card
B-29	University Center Operations	Alcoholic beverages permitted under certain conditions; updated title of Student Affairs; sale of products or services prohibited; series meetings scheduled by email
C-13.5	Food Services	Reviewed, no changes made
C-39	Withdrawal Without Financial Clearance	Updated procedures for implementation; updated title of Provost and VPAA
C-45	Professional and Consultant Services	Major Consulting Services Contract equals or exceeds \$25,000; publication in TX Register must include finding by the President that services are necessary and an explanation of that finding; added General Counsel as contact for assistance in determining need of services; Major Consulting Contract Request form required 60 days prior to need for service
C-49	Travel	Removed reference to Bank of America charge card; application for corporate charge card must be signed by employee, supervisor, and travel manager; advance funds not available for employees eligible for corporate cards; procard may be used to prepay registration fees; additional form: Travel Request-Prospective Employee
D-1	Access to University Records	Fee schedule provided by Texas Building and Procurement Commission; updated Source of Authority
D-9	Disposition of Abandoned Personal Property	Use of profits of auction to be directed by Office of Student Affairs
D-16	Hazing	Updated definitions of hazing; updated title of Judicial Officer; added information on Immunity; updated Source of Authority
D-19	Illicit Drugs and Alcohol Abuse	Students violating this policy may remain enrolled at discretion of VP University Affairs; updated sanctions for alcohol possession or consumption; updated information on Texas Law; updated title of Judicial Officer; updated Source of Authority
D-20	Intellectual Property	Faculty not required to produce works made for hire unless it is a condition of original employment; if agreed in writing a work may be considered work for hire; University does not claim ownership of copyrightable intellectual property unless agreed in writing;

**Policies for Board Review  
October 23, 2003**

		development leaves and grants, minigrants and research course reductions not construed as significant use of University funds; University to determine whether to register and enforce copyright on works it owns; added Cross Reference to Policy D-20A, Intellectual Property Rights for Distance Education
D-28	Records Management	Update name of Public Information Act and Contact for Revision
D-34	Student Discipline	Major re-write
D-34.1	Student Conduct Code	Updated information on hazing; students violating this policy may remain enrolled at discretion of VP University Affairs
D-35	Students Displaying Serious Psychological Problems	Major re-write
E-28	Insurance and Other Benefits	Incorporated revised State rules for payments and benefits
E-29A	Leave of Absence (Faculty)	Incorporated revised State rules regarding military leave
E-30N	Leave of Absence (Non-Academic)	Incorporated revised State rules regarding military leave
E-43	Retirement Programs	Reviewed, no changes made
E-44	Security Sensitive Positions	Deleted reference to Criminal Records Check for a Security Sensitive Position form
E-47.2	Staff Development	Added cross reference to Policy E-65, Faculty/Staff Educational Assistance Plan; deleted reference to Staff Development Proposal form
F-3	Bookstore Special Orders	Reviewed, no changes made
F-4	Bookstore Textbook Orders	Reviewed, no changes made
F-12	Faculty and Staff Season Tickets	Added volleyball to season tickets; applications mailed annually; updated title of Director of Student Affairs
F-15	Guest Speaker	Deleted reference to Division of Continuing Education; updated title of Director of Student Affairs
F-18	Mail Services	Major re-write
F-24	Scholarship Disbursement	Recipient must send notification which includes SS # or campus ID and the account manager's name; department must provide minimum number of hours; financial aid adjustment will be made reflecting the additional scholarship offer and notification sent; requests for disbursement must be received ten business days before first class day of each semester

**Policies for Board Review  
October 23, 2003**

F-26	Student Employment Center	Added reference to web sites; updated title of Provost and VPAA
F-27	Student ID Cards	Students must show valid picture ID to obtain first SFA ID card; cards may be used for Jack Bucks
F-30	Ticket Office Services	Major re-write; updated title of Director of Student Affairs; added Consignment Ticket Agreement Form
F-31	Vending	Vending machines are responsibility of contract vendors; request for exceptions to be addressed to VP University Affairs

## Use of University Facilities

B-1

Original Implementation: April 11, 1980

Last Revision: ~~July 17, 2001~~ October 23, 2003

All Stephen F. Austin State University buildings, facilities, equipment, and grounds shall be used only in the pursuit of the stated objectives of the University -- academic, cultural, and public service. Groups not affiliated with the University may be granted use of University facilities according to the general policies provided herein and an agreement to adhere to the specific rules and procedures governing the use of the individual facilities.

It is the responsibility of the user to become acquainted with and abide by these specific rules.

### Definitions:

1. "Student" means a person who is currently enrolled for academic instruction or research at the University.
2. "Campus" shall mean all real property over which the University has possession and control by law.
3. "University group" shall mean a registered student organization, other student group, or faculty and staff group. No group shall be considered a University group if it includes a person who is not a student, faculty member, or employee of the University unless that person is a member of the immediate family of a student, faculty member, or employee of the University.
4. "Outside group" shall mean any organization or group that is not included within the term "University group."
5. "Sponsoring organization" shall mean a University group that vouches for an outside group's use of University facility.
6. "University official" means a person charged with the responsibility for supervising the use of a University facility.
7. "University agency" shall mean an academic school, department, or program, or a University council, committee or auxiliary enterprise.

### Priorities and Limitations for Use of University Facilities

1. Mission of the University



Nothing contained in this policy shall be construed to prohibit or hinder operation of the University in fulfilling its mission as a public institution of higher education. All activities associated with that mission shall have priority in the use of the University's facilities.

## 2. Individuals

Individuals engaged in the educational mission of the University shall have the right to use the University's facilities in accordance with federal, state, and local laws, as well as the rules and regulations of the University.

As a general rule, priority for the use of the University's facilities shall go first to the students and second to the faculty and staff. However, exceptions to this rule may be made in certain instances by the University administration.

Immediate family members of students, faculty, and staff may be granted limited use of University facilities through established programs designed to promote the enrichment of campus life and to enhance the living-learning environment of the University.

## 3. Groups

a. Only organized groups (no individuals) sponsored by a University agency conducting an activity that is within its established role and scope may be allowed the use of University facilities.

b. However, outside groups without a sponsor may be permitted to use the facilities of the University Center, subject to all other appropriate guidelines contained in this policy.

## Reservations

### 1. Application

a. Application for use of University facilities by University agencies shall be made to the appropriate University official as follows:

Facility	Appropriate University Official
Classroom, auditorium, office space and off-campus facilities	Dean of School having jurisdiction over that space
University Center	Director, Auxiliary Services
Residence Halls	Director, Housing
Library Carrels and Seminar Rooms	Director, University Libraries
University Coliseum and	Associate Athletic Director for Internal

Stadium	Affairs
Health and Physical Education Complex and Tennis Courts	Chairman, Department of Kinesiology
Other Outside Recreational Areas	Director, Intramurals
Other Outside Areas of the Campus	Dean, Student Development

b. Application for use of University facilities by outside groups shall be made to the Vice President for Business Affairs, except for the coliseum, stadium, and University Center, which shall be made to the individual indicated above.

## 2. Additional Procedure

In addition to this policy, the University may establish procedures for reservation and use of each University facility. The University official responsible for each facility may be contacted regarding the policies for that facility.

## 3. Identification of Sponsor

The user may not assign or delegate any control or responsibility to any other user or co-sponsor, agent, or third party without prior written approval of the appropriate University official. All users or co-sponsors of an event must be clearly identified prior to confirmation of a reservation. Reservations for presenting one event may not be used for presenting a different event without written approval by the appropriate University official.

## 4. Assignment of Reservations

No reservation may be assigned in whole or in part. The current fee schedule will be available from the appropriate University official. Fees for outside groups are established at rates which will, at a minimum, ensure recovery of that part of the operating cost of the facility that is attributable directly or indirectly to such use by an outside group.

## 5. Deposit

An advance deposit (specified in the fee schedule) may be required for reservations for an event conducted by an outside group.

## 6. Bond and insurance

Outside groups who use a University facility may be required to provide a contract performance bond. They may be required to provide liability insurance covering injury to persons, including those resulting in death, and property damage insurance, including

damage to the University facility, in amounts and under policies satisfactory to the Vice President for Business Affairs. Copies of such policies shall be furnished to the Vice President for Business Affairs no later than thirty (30) days prior to the event and in all cases prior to announcement of the event.

## Financial Policies

### 1. University agency/groups

Excess income over expenses, including the fee for use of the facility derived from an event sponsored by a University agency/group, may be retained by the University agency/group to further its activities and programs. Excess expenses over income of an event shall be absorbed by the sponsoring University agency/group. Additional cost of maintenance, including standbys, custodial and utilities will be considered an expense of the event.

### 2. Outside group

If an outside group (other than a public entity or athletic coaches summer camps) using a University facility charges those attending an event any admission or registration fee, or accepts donations from those in attendance, a complete accounting of all funds collected and of the actual cost of the event shall be submitted to the Vice President for Business Affairs within (30) days after the event. If the funds collected exceed the actual cost of the event, the user is required to remit such excess funds to Stephen F. Austin State University as an additional charge for use of the facility. The University reserves the right to audit all records pertaining to income and expenses, to prescribe methods of collection, and to participate in audits of funds at the point of receipt. Additional cost of maintenance, including standbys, custodial and utilities will be considered an expense of the event.

### 3. Payment for damages

All users and sponsors shall be responsible for payment for damages to the University facility, its fixtures, and equipment, whether caused by the user or its patrons, ordinary wear and tear excepted.

### 4. Broadcast and recording rights

The University reserves all rights and privileges for radio and television broadcasts, whether live or transcribed for delayed transmission, and all visual or audio recordings originating from the University facility. Should the University grant to the user such privilege, the University has the right to require advance payment of any estimated related costs to the University, such as installation of equipment. Such permission must be granted in writing by the University President in advance of broadcast or recording.

## Policies for Outside Users

Any proposed use of the University facility must be appropriate and suited to the size, structure, purpose and operating costs of the facility. For outside groups, there must be good reason to expect that a proposed event will require features unique to the facility or which are otherwise unavailable in the community. All proposed events must be conducted in accord with applicable state and federal laws and regulations, as well as the rules, regulations and policies of the University Board of Regents. Users must demonstrate to the satisfaction of the appropriate University official that they have the staff, experience, contracting authority, financial status and other qualifications necessary for carrying out the proposed events in a satisfactory manner.

#### 1. Review of contracts

All contracts related to the presentation of an event, including contracts between user and performers, speakers, sub-contractors, managers, and others, are subject to review and approval by the General Counsel and the appropriate Vice President.

#### 2. Hazards

If the University, in its sole discretion, determines that a proposed event poses a potential hazard to public safety, the event may be canceled or denied. No user may install or operate any equipment, fixture or device, nor operate or permit to be operated any engine, motor or other machinery, or use gas, electricity or flammable substances in the facility except with prior written approval of the appropriate University official, under such conditions and restrictions as the University official may specify. All electrical connections must be made by University personnel under direction of the staff of the appropriate University official and all house equipment must be operated by University personnel. No equipment, device or fixture may be used which, in the opinion of the University official, endangers the structural integrity of the facility.

#### 3. Conflict with University activities

An event shall not be permitted for any purpose which, although in accord with the general purposes of the University, is of such character or occurs at such circumstances that they are likely to interfere or cause major conflict with any University activity, program or event, or are inimical to the interests of the University.

#### 4. Management functions

Management functions are retained by the University and may be delegated to users or others only with the written permission of the appropriate Vice President. The functions include, but are not limited to, the following:

All facets of ticketing and ticket policies, including scaling, acquisition, distribution, and sale.

All matters of staffing, crowd control, technical arrangements, promotions, and advertising.

5. Concessions and catering

Use of the University facility does not carry the right for the user to control concessions. Sale and distribution of food, beverages, souvenirs, or other concession items are reserved to the University or its concessionaires.

6. Signs and displays

No signs, messages or other materials may be posted, displayed, distributed or announced in, on or adjacent to, the University facility by user or sponsor without prior written approval of the University official. Such materials may not be fastened to any part of the facility except in spaces provided for this purpose and may not be permitted to interfere with crowd movement and safety.

7. Religious organizations

A religious organization applying for use of a facility must submit written evidence to the appropriate University official from the Internal Revenue Service that organization has been granted an exemption from taxation under Section 501(c)(3) of Title 26 of the United States code (Internal Revenue Code), and shall be permitted to use the facility no more than one (1) time during a calendar year.

8. Political organizations

A political organization applying for use of the facility must present written evidence to the appropriate University official that the organization had candidates for either national, state, district or local offices listed on the ballot at the last general election, and shall be permitted to use the facility no more than one (1) time during a calendar year.

9. Individual candidates for political office

Individual political candidates and their election organizations are not permitted to reserve a University facility. However, if a candidate is invited by a University group, then he or she may appear in the facility, provided that the group extending the invitation is responsible for reserving the facility and meeting all costs related to the event.

10. Advertising

All news releases, handbills, advertisements, television and radio announcements or other media utilized to inform the public of a non University event to be held in a University facility must carry a disclaimer, approved by the General Counsel, to the effect that use of Stephen F. Austin State University facilities does not imply endorsement of the event or the sponsoring organization by the University.

## **Penalty and Hearing**

### **1. Suspension**

If a user or sponsor violates the provisions of this policy, or the laws regulating the use of state property, the appropriate University official with the approval of the Vice President to whom he/she reports may suspend the use of University facilities, or certain University facilities, by the user or sponsor for a specified period of time not to exceed one (1) year. Suspension shall mean that reservation requests by the user or sponsor shall be denied by the University during the specified period of time.

### **2. Notice of Suspension**

When a University official suspends a user or sponsor from the use of University facilities, the official shall notify in writing, the user or sponsor, and the vice president who has responsibility for space assignment, of the suspension. The written notice shall contain all the following:

- a. that the user or sponsor may not use University facilities, or certain designated University facilities, for a specified period of time, not to exceed one (1) year from receipt of the notice;
- b. the name and title of the University official imposing the suspension, along with an address where the University official may be contacted during regular working hours;
- c. a brief statement of the acts or omissions resulting in the suspension; and
- d. notification that the suspended user or sponsor is entitled to a hearing on the suspension.

### **3. Request for Hearing**

- a. A suspended user or sponsor may submit a written request for a hearing on the suspension to the appropriate University official within fourteen (14) days from the date of receipt by the user or sponsor of the notice of suspension. The University official shall grant a hearing not later than seven (7) days from the date of the request and shall immediately mail written notice of the time, place, and date of the hearing to the person.
- b. The hearing shall be held before a discipline committee reviewing the suspension in question.

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

**Cross Reference:** None

**Contact for Revision:** President

**Forms:** None

## **Camp and Conference Reservations**

**B-4**

Original Implementation: 1987

Last Revision: ~~January 15, 2002~~ *October 23, 2003*

Each year Stephen F. Austin State University is host to a variety of camps, clinics, workshops, and conferences. To facilitate the many and varied requests of these groups, the Coordinator for University Reservations and Conferences, referred to in this booklet as the Coordinator, located in the University Center, room 110, is available to assist Camp Directors in arranging housing, meal tickets, meeting space, insurance, parking permits, and banquets. A camp as referred to in this document refers to all special programs, camps and conferences.

### **Eligibility**

Any camp or conference requesting use of University facilities must have a University sponsor. If profit-making agencies are involved with the program, the sponsoring organization must receive prior approval from the Vice President for Business Affairs to conduct the camp. ~~All adult, non-credit groups or University groups awarding Continuing Education Units must be sponsored through the Department of Continuing Education.~~

It is the responsibility of the sponsoring individual or organization to ensure that programs and activities conducted in the University Center or at other locations on the University campus are in compliance with the Americans with Disabilities Act.

### **Age of Participants**

Camp participants under ten (10) years of age are not permitted to stay over-night in the residence halls unless accompanied by parents and under close supervision at all times.

### **Request for Camp/Conference Facilities**

The first step for the Camp Director will be to submit a completed "Camp/Conference Reservation Contract" to the Coordinator (see appendix for sample). The form should be completed with estimates of size of the camp. Housing, meal cards, meeting space and other requests will be reserved according to the stated needs on this form. Completion and return of these forms as early as possible will help assure that each specific need will be met. Some areas are limited and will be supplied on a first-come, first-serve basis. A packet containing passes, tickets, insurance forms and instructions will be assembled and should be picked up at the Coordinator's office two (2) weeks before the scheduled camp date.

### **Insurance Requirements**

It is the responsibility of the sponsoring department to ensure that each group has appropriate liability coverage. All non-credit participants spending the night in University residence halls must be insured. A per camper/night fee will be assessed at the completion of the camp and



billed to the proper account. A list of names of all participants to be insured must be submitted to the office of the Coordinator on the first working day of the camp session. Completing insurance forms are the responsibility of the Camp Director. Forms returned because ~~of~~ of insufficient information are also the Camp Director's responsibility.

### **Health Clinic**

A medical release and consent form (see appendix for sample) must be completed and signed by the parent/guardian of each camper under age 18. Neither the clinic nor local hospitals will treat a minor student without this release form in hand. The Camp Director is responsible for having these forms signed and readily accessible at all times in case of an emergency.

Claim forms are available from the Coordinator as needed. The attending physician/professional will forward the claim form to the insurance carrier following a medical visit. No claim will be processed without the signature of a camp official.

A camp official must accompany a student camper to the University Health clinic, local hospital emergency room, or pharmacy.

### **Emergency Phone Number**

All camp participants should be informed that a campus 911 number is available to them should an emergency take place.

Parents of participants should be informed of the twenty-four (24) hour emergency phone number (936) 468-2608 at the University Police Department.

### **Billing Procedures**

Billing for summer camps will be handled through the Coordinator's office. Costs for meals, housing and insurance will be negotiated each year and the projected costs made available upon request. An account number or billing address should be supplied at the time of the original camp reservation. After the camp is completed, one total bill for lodging, damages, lost keys, meals, special banquets, SFA food service deliveries and pick-ups, insurance, and other applicable costs will be assessed and billed to the camp account. Any damages, etc. discovered after the close of the camp will remain the Camp Director's responsibility.

**Camp cancellations** must be made **in writing** to the Coordinator. Cancellations within one month to two weeks prior to the starting date of the camp will incur a \$100 dollar cancellation fee. There will be a \$150 per day charge for each day that the camp was scheduled when the cancellation is made within two weeks of the beginning date of the camp.

### **Housing**

The Camp Director should estimate as closely as possible the number of students and counselors needing University housing for the camp session. Space will be reserved as per the reservation

completed by the Camp Director. Concurrent camps may result in two or more groups occupying the same residence hall. In the event that this becomes necessary, the Camp Director will be allowed the opportunity to request additional facilities. The request for additional facilities will be granted if housing facilities are available. Additional fees will be charged for this service and will be established according to the type of facility requested.

Before the camp session, the Camp Director will receive lists of final hall assignments, summer Hall Directors and their current phone numbers. Two weeks before the camp session the Housing Department will send floor plans, roommate lists, information specific to the building such as rooms being used for storage and not available to campers, and the current phone number for the Hall Director. The Camp Director should contact the Hall Director as soon as the lists are received and should keep the Hall Director updated on changes and special needs the camp may have in the hall.

If it is necessary for a camp to have camp staff or campers arrive one night early or check out one day later than the main camp, the early arrivals/late checkouts may be housed in a different facility for this time. Any early arrivals or late checkouts must have authorized supervision.

### **Final Arrangements**

At least two (2) weeks prior to the start of the camp session the Camp Director should contact the Hall Director assigned to the camp to finalize arrangements. Issues to be discussed include early arrivals, pre-camp inventory of the residence hall, check-in and checkout procedures, room assignments, storage of equipment, late departures and end of conference inventory of the residence hall.

The SFA Housing Department is responsible for the overall cleaning of the residence halls, but it is the Camp Director's responsibility to make sure campers' posters, trash and other items are removed from the rooms and taken to the dumpster. The Camp Director is responsible for removal of any writing on walls, mirrors or doors prior to departure.

Housing damages and lost key charges are assessed after the group has left the residence hall, but remain the Camp Director's responsibility. (See Damages for more information) Groups meeting in the lobbies of the residence halls are responsible for the general cleaning of these areas. Food deliveries are not permitted after the front desk closes.

Participants may not use hallways, floors, or rooms other than those assigned to the camp.

### **Special Accommodations**

Any camper or conference attendee that will need special accommodations due to a disability should contact the Coordinator prior to arrival on campus.

### **The Camp/Conference Director Responsibilities**

(Participants as presented below refer to all individuals associated with the camp/conference including campers, instructors, staff and guests).

The Camp/Conference Director:

1. Will provide counselors and staff for the camps, preferably one counselor per ten campers. Campers should be supervised during any free time.
2. Inspects residence hall facilities immediately prior to and after the camp session;
3. Advises participants of appropriate check-in and checkout procedures including charges for damages and lost keys;
4. Familiarizes participants with University policies, especially those pertaining to fire and emergency evacuation procedures, appropriate conduct, possession of controlled substances and fire arms, and authorized entry into rooms;
5. Maintains discipline of all participants;
6. Cooperates with the residence hall director and staff who are responsible for the safety, security and maintenance of the building;
7. Collects and has readily available all Medical Release and Consent Forms on all participants;
8. Informs the University in advance of early and late arrivals;
9. Completes insurance forms at the time of treatment;
10. Handles insurance forms returned for lack of student information;
11. Furnishes the coordinator with a camp roster as soon as possible but no later than twenty-four (24) hours after camp check-in begins.
12. It is the responsibility of the sponsoring individual or organization to ensure that programs and activities conducted in the University Center or at other locations on the University campus are in compliance with the Americans with Disabilities Act.

**The Hall Director's Responsibilities**

The Hall Director is responsible for supervising the SFA residence hall staff. He/she will develop a comprehensive work schedule, assist with distribution of keys and room assignments as needed to provide the best possible service to conference guests. The hall director will be available to assist the Camp/Conference Director in providing adequate supervision and disciplinary guidelines to campers.

After camp completion, the Hall Director will be responsible for submitting to the Housing Department the final count of rooms/beds used.

The Hall Director:

1. Acts as a daily contact person to assigned groups;
2. Prepares staff for handling emergencies and familiarizes them with overall building layout (elevators, fire alarms, etc.);
3. Interprets, supports, and enforces University policies, procedures, and regulations;
4. Completes work orders and maintenance requests as needed for efficient hall maintenance;
5. Completes administrative paperwork as required by the Residence Life Office or the Housing Department.
6. Assesses all Housing charges at the Conclusion of the conference.

### **Hall Director Phone List**

Units 6620 Wilson 4906

Wisely 2663 Hall 14 5408

Todd 4907 Griffith 5401

North 2644 Hall 16 5100

Hall 10 4708 Steen 4607

Mays 4707 Kerr 5306

South 2793 Hall 20 2671

The Hall Director reports to the Coordinator of Residence Life.

### **The Residence Hall Staff's Responsibilities**

The residence hall staff, under the supervision of the Coordinator of Residence Life and the day-to-day responsibility of the Hall Director, will assist in summer camp programs.

The Hall Staff:

1. Cooperates with the Hall Director in the operation of the residence hall;
2. Assists with check-in and preparation of facilities for each camp;
3. Assists with checkout and inspection of rooms at the close of each camp ;
4. Performs desk responsibilities during assigned desk hours, gives information, checks guests in and out, issues keys, takes messages, and/or any other duties deemed necessary;
5. Serves as a referral/resource person to camp participants;
6. Assists in acquainting Camp Director with University policy, emergency procedures and facilities lay-out;
7. Maintains necessary reports and an accurate accounting of money, keys, maintenance requests, damages, etc.;
8. Is accessible in emergency situations;
9. Maintains duty hours as assigned by the Hall Director;
10. Attends staff meetings as assigned by the Hall Director; and,
11. Performs other duties as assigned by the Hall Director.

### **Residence Hall Rules and Regulations**

**Agenda/Schedule.** A copy of the agenda or schedule for each conference group must be left with the Hall Director to assist the residence hall staff in directing student during their stay.

**Alcohol.** Alcohol is not allowed in residence halls at any time.

**Cleaning Fee.** Cleaning charges may result if the participant leaves the room in any condition that requires custodial personnel to be called in for extra cleaning or the removal of trash from the building.

**Controlled Substance.** Unlawful use, manufacture, possession, or delivery of any controlled substance or dangerous drug is prohibited in residence halls.

**Damages.** The camp will be charged for any damages to the residence hall or its furnishings. Attaching signs or posters to the doors or the walls with tape may result in damage charges. The University is not responsible for any damage to a camper's room as a result of theft, vandalism, or maintenance failure. The Housing Department encourages a representative from each group to conduct a walk through inspection of each room prior to the arrival of the camp. All pre-existing damages should be noted at that time. The Hall Director will be available to inspect each room with the Camp Director upon request. The Camp Director is responsible for removal of any writing on walls, mirrors or doors prior to departure. Housing damages and lost key charges are assessed after the group has left the residence hall, but remain the Camp Director's responsibility.

**Desk.** The desk will be open from 10 a.m. until the Camp curfew (no later than midnight). Messages for camp participants received by desk attendants will be posted in a central location and not delivered to individual rooms. The Hall Director will unlock the front doors at the time requested by the camp director. The front door will be locked at midnight, or earlier if requested. Any one that is locked out of the building may use the emergency phone located next to the door to contact the University Police Department for admittance to the building.

**Desk Deliveries.** Deliveries of prepaid merchandise may be made to the residence hall desk while it is open. Desk assistants will notify participants of a delivery, but shall in no way be made accountable for such items. Occupants will be contacted for deliveries when payment is needed.

**Discipline and Supervision.** It is the responsibility of the Camp Director or camp staff to administer discipline to participants who violate camp or University regulations. On occasions when camp personnel are not available, residence hall personnel will temporarily handle the situation. In cases of chronic or severe discipline problems, the residence hall director reserves the right to recommend that a camp participant be sent home. Violation of federal, state or municipal law will require the involvement of the University Police Department. All camps must provide on - site camper supervision throughout the duration of the camp. This includes overnight supervision within the residence hall.

**Emergency.** In case of an emergency call 911 or University Police at (936) 468-2608.

**Entry-Authorized Entry Into Rooms.** Entry into a residence hall does not normally constitute a search. University personnel and the camp staff may enter a room to remove a potential fire, safety, or health hazard; to perform maintenance; to correct situations intruding upon the comfort of others (a phone or alarm clock continuously ringing, loud radios, etc.); to retrieve items upon

request of the participant's immediate family; and to retrieve the personal belongings of other individuals where there is no apparent dispute to ownership of the property. All other situations which would require entry into a room should be coordinated with the Hall Director who may consult with University Police.

**Evacuation Procedures.** All persons are required to evacuate a building when an emergency alarm is activated. If an alarm sounds, each person must leave the room and proceed to the nearest clear exit. Stairwells must be used instead of elevators. If the camper is unable to exit the room, a towel, sheet, or similar item should be placed outside the window, so that emergency personnel will know that someone is in the room. Camp Directors may request that a fire drill be scheduled during the camp by contacting the Hall Director prior to arrival.

**Facility Sharing.** In order to be more energy efficient, two or more camps may be scheduled in the same facility.

**Firearms.** Possession or use of weapons or explosives (such as pistols, rifles, shotguns, firecrackers, cherry bombs, or any weapons prohibited by laws of the state of Texas) in University-owned-or-controlled buildings is prohibited.

**Fire Safety.** No incense or candles may be burned in residence halls. If an extinguisher is maliciously discharged, a fee for refilling the extinguisher and for clean-up will be assessed. Transmission of a false alarm is a violation of state law and violators will be prosecuted.

**Gambling.** Gambling in any form is prohibited.

**Games.** Because of potential physical harm or residence hall damage, active games such as running and the use of frisbees, footballs, ice or water fights etc., are not allowed within residence halls. It is the responsibility of the camp to store the equipment for the camp such as basketballs, etc.

**Guests With Disabilities.** Conference guests that need any special accommodations should contact SFA's Camp Coordinator prior to arrival.

**Housekeeping.** Housekeeping staff are on duty Monday through Friday. Common areas of the residence halls and community bathrooms are cleaned daily. Cleaning of individual rooms and trash in individual rooms is the responsibility of the camper. Any housekeeping concerns should be reported to the front desk.

**Keys.** Keys are issued according to the Camp Director's request and University Policy at the time of check-in. Keys must be turned in to residence hall staff at checkout. A replacement fee will be assessed for each key that is not returned at the end of the camp session. This charge covers the cost to change the lock and make a new set of keys. Camp officials will not be issued master or front door keys to any building. In the event a camper is locked out of a room, Camp Staff will be asked to confirm the identity and room assignment of the camper before a new key is issued. Each Camp Director will develop the camp procedure for lockouts.

**Laundry Facilities.** Coinless washing machines and dryers are located in each residence hall.

**Lost and Found.** Lost and found items should be turned into the front desk. At the end of each camp, the Camp Director may pick up any lost and found items. Anything left over from the camp will be turned into the University Center Information Desk on campus. SFA cannot be responsible for lost or stolen items.

**Maintenance.** Any maintenance problems should be reported to the Hall Director or desk personnel. Abuse of elevators, televisions, laundry machines or ice equipment or other excessive maintenance charges may be billed to the camp.

**Medication.** The residence hall staff will not dispense any type of medication to a camper. Contact the SFA health clinic at (936) 468-4008 if a camper will need assistance with medication during the camp session.

**Movies.** No movies may be shown in the residence hall lobbies due to licensing law restrictions.

**Pets.** No pets are allowed within the residence halls.

**Public Areas.** Eating, drinking and smoking are not permitted in the lobbies, hallways, laundry rooms, community baths or other public areas. Pizza parties etc., should be held outside or the food distributed and the campers dispersed to their rooms.

**Roommates.** The Camp Director will handle all roommate problems. If a room change is necessary, consult the Hall Director.

**Smoking.** No smoking is allowed in the residence halls or on the front porches during camps.

**Storage.** Rooms used for reasons other than living space will be charged the private room rate, (i.e. storage, offices or conference rooms).

**Telephones.** The University does not furnish telephones for individual residence hall rooms. Camp staff members are encouraged to bring telephones. Local telephone service is provided in each room. Dial 9 for an outside line. In order to place a long distance phone call, a telephone calling/credit card must be used. Incoming collect calls may not be accepted. The phone number is printed on the telephone jack.

**Trash Policy.** The SFA Housing Department is responsible for the overall cleaning of the residence halls, but it is the Camp Director's responsibility to make sure campers' posters, trash and other items are removed from the rooms and taken to the dumpsters located outside of each building. The Housing Department will furnish each camper with a plastic trash bag when they check into the building and large bags at the end of each camp to gather all of the smaller bags for removal from the building.

**Vending.** Vending machines are provided for the convenience and enjoyment of the camp participants. Empty or malfunctioning machines should be reported to the front desk as soon as

possible. Camp participants who lose money in the machines should report to the U.C. Business Office, located in the basement of the University Center, for a refund.

**Windows.** Windows in residence halls must be closed at all times for air conditioning systems to function properly. Window screens may not be removed by residents.

## **Dining Service**

Meal and Hall Access tickets to be used by camps will be ~~printed and~~ enclosed in the camp packet according to the estimated number stated on the reservation form *at a price per card.* As a general rule, 10% extra meal tickets will be included to handle lost and damaged cards *at no charge.* Meal cards are numbered for use in assignment. If a card is lost, the Coordinator's office ~~should~~ *may* be notified immediately and SFA Dining Services will be alerted to watch for the lost card. SFA Dining Services will charge the group for actual meals eaten. There will be a charge for failure to notify reservations if the group misses a meal. The count will be taken at the cafeteria register and that count will be considered final, should a dispute arise.

To facilitate quick access to the cafeteria when several large groups are on campus simultaneously, meal times ~~will~~ *should* be staggered. From the information provided on the reservation form, Food Services will be notified of the first and last scheduled meals to be eaten in the cafeteria and whether or not the group will be missing a meal. If the group misses a meal and the Coordinator was not notified, a 75% minimum charge will be assessed. Special banquets in the University Center can be arranged through the Coordinator's office according to University Center policies.

## **HPE Facilities**

### **PHYSICAL ACTIVITY FACILITIES**

Primary physical activity facilities are the Shelton Gym, Norton Health and Physical Education Complex (HPE), the outdoor swimming pool, tennis courts, intramural fields and sand volleyball courts. Facility requests will be made in writing by the Camp Director on the Camp/Conference Reservation Contract. All physical activity facilities will be scheduled around academic classes (to be set in March), maintenance, intramural programs and field condition.

1. Shelton Gym – basketball or general use. One regulation size basketball court or two smaller basketball courts with P.A. system and bleachers for approximately one thousand. Can be booked for sports camps and cheerleading camps during the day, 8am – 7 pm. Can be booked for recreational camp use from 7pm – 10pm. Camps will be allowed one gym only.
2. Norton HPE Complex – five basketball courts with no seating or PA system. Can be booked for sports camps and cheerleading camps from 8am – 7pm and for recreational use from 7pm – 10pm. Camps will be allowed one gym only.
3. Outdoor Swimming Pool – capacity of 150 swimmers, can be booked from 7pm – 10pm for camp use with a two hour minimum.
4. Tennis Courts – twelve courts available for camps/conferences, can be reserved from 8am – 10pm. No equipment will be furnished by the University.



5. Intramural fields – located on Wilson Drive, usually set up for softball during the summer months. Can be requested from 8am – 10pm. The fields will not be confirmed until two weeks prior to the camp.
6. Sand volleyball Courts – four courts. Can be reserved from 8am – 10pm.

### **University Center Games Area**

The Games area located in the University Center basement will be available to campers during regular SFA hours. Special permission for use at other times may be granted by the Director of Auxiliary Services. Group reservations should be made on the camp reservation form. Cost for games and machines are posted in the Games area. A late charge may be assessed for groups staying after hours.

### **University Center Meeting Rooms**

Rooms in the University Center are made available to summer camps on a first-come, first-serve basis following established University Center policies. Only food purchased through the University is to be served in the University Center meeting rooms. Arrangements for room set-up and food orders for banquets or meetings must be made in the Coordinator's office two weeks prior to the event. Failure to notify the Coordinator of a cancellation approximately 72 hours in advance of the scheduled activity will result in payment of the cost incurred by the University Center or Food Service personnel. University Center decorating restrictions will be strictly enforced. The Nibbler's Nook and the lounge areas are non-reservable areas during regular operating hours. Lounges are primarily intended for general use by the public. Due to limited space in the University Center, rooms in the U.C. will not be available for storage before the camp dates. Boxes shipped before the group's arrival to the campus must be held by the sponsoring department.

### **Academic Buildings for Meeting Rooms**

The Coordinator will be available to assist Camp Directors in reserving meeting spaces in academic buildings and auditoriums following policy guidelines for each building. For assistance, the Camp Director should specify dates, hours, and group size on the reservation form.

### **Coliseum**

Reservations for use of the coliseum will be arranged by the Coordinator following the University regulations for coliseum usage. A per-event fee may be charged.

### **University Police/Parking**

Parking permits will be available through the Coordinator's office for campers bringing cars and buses to the SFA campus. Parking permits are to be displayed in the car window while on campus and disposed of after the camp is completed. If a group of parking spaces is needed, the Coordinator will arrange with the University Police Department for an area to be marked off for the camp.

**Source of Authority:** Board of Regents, President, Vice President for University Affairs

**Cross Reference:** None

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

**Forms:** Medical Release and Consent Form (available in Auxiliary Services); Camp/Conference Reservation Contract (available in Auxiliary Services); Camp Director's Check List Form (available in Auxiliary Services)

## University Center Operations

B-29

Original Implementation: 1966

Last Revision: ~~August 1, 2000~~ October 23, 2003

### GENERAL OPERATIONS

1. Reservations in the University Center are made through the Coordinator of University Reservations and Conferences, referred to hereinafter as the Coordinator.
2. It is the responsibility of the Sponsoring Agency to ensure that the programs, related activities, and printed material are accessible to persons with disabilities. The University does not accept responsibility for insuring that the programs or activities of the group are in compliance with the provisions for the Americans with Disabilities Act.  
Questions regarding accessibility of facilities for a specific program being held in the University Center should be directed to the Coordinator.
3. The Nibbler's Nook is a non-reservable area for general use by the public during regular operating hours.
4. Lounges are primarily intended for general use by the public. Limited use of the areas for active programming will be allowed upon approval of the Director of Auxiliary Services. Approval will depend upon several variables that will include time, size, and type of program.
5. Animals or pets of any kind, excluding, service animals shall not be permitted in the building at any time.
6. Individuals or groups reserving space in the University Center shall be responsible for the behavior of their members and guests and also shall be responsible for any damage caused by their guest or members.
7. Failure to comply with the Operations Policy or with requests of the persons enforcing this policy may result in suspension of privileges to use the University Center and/or lead to action under the University disciplinary code.
8. Disorderly conduct and disturbing the peace shall not be permitted in the University Center and may lead to disciplinary action.
9. ~~Possession or use of intoxicating beverages is not permitted in the University Center.~~  
*Alcoholic beverages will be permitted in the University Center for receptions or meals (only if catered or sold through a licensed vendor and approved in advance by the President)*
10. Card playing or table games may be played only in the Games Area or in rooms reserved for such purposes. No such games will be played in the dining area, the Hungry Jack Inn, the Nibbler's Nook or lounge areas. Gambling in the building is prohibited.

11. No classes, lectures, laboratories, tests or any type of class for credit shall be scheduled in the University Center, except under extenuating circumstances.

12. The University Center will not be responsible for any articles lost in the building.

13. Food and drinks shall not be permitted on the second floor of the building except when provided by University Center personnel for approved reservations. Food and beverages are not allowed in the carpeted lounge areas without prior arrangements with the Coordinator.

14. Electrical circuits shall not be altered nor connected to, except through outlets provided and with the approval of the Coordinator.

15. Equipment and furnishings assigned to the University Center shall not be removed from the immediate vicinity of the University Center for any reason, except upon permission from the Director of Auxiliary Services.

16. The public address system shall be used for music and official announcements only.

17. Skates, skateboards, bicycles or bikes of any kind are not allowed inside the University Center.

18. Presidents and sponsors of student organizations may rent tables and chairs for activities adjacent to the University Center after the activity has been approved by the Director of Student Development *Affairs*. Tables and chairs must be rented with the Coordinator. Tables must be checked out and checked back in at the University Center Information Desk (See charges).

## **DISTRIBUTION OF PROMOTIONAL MATERIALS**

1. Only University organizations, including academic departments, registered student organizations, faculty and staff organizations, other organizations and entities officially associated with the University and the Alumni Association may display or distribute promotional materials in the University Center after following established procedures. Promotional materials include literature, publications, and posters.

a. The promotion of commercial enterprises is prohibited.

b. Promotional materials must be registered and filed with the Office of Student Development *Affairs*

c. Posters and banners must be registered by the Coordinator.

d. Posters shall not exceed 14" X 22".

e. Banners shall not exceed 18 feet long by 21" tall.

f. Posters may be put up within five (5) days prior to the event or earlier if the space is available and shall be limited to three (3) posters per event in the University Center at any one time. Any exceptions must be reviewed and approved by the Director or Auxiliary Services. Posters will not be displayed for longer than two weeks.

g. No posters or decorations will be placed on the building proper, including posts, porches, terraces, doors, walks, walls, fountains, planters, floors, or draperies.

h. Banners may be hung in designated areas of the University Center.

i. After the scheduled event, University Center personnel will remove and discard all posters and banners.

j. Banners will not be posted longer than two (2) weeks.

2. After registration, any materials to be displayed on the tables in Food Service areas must be taken to supervisory personnel of the respective dining areas for distribution instructions. Material may not be distributed in cafeterias during dining hours.

## **POLITICAL CAMPAIGN POLICY**

1. No political campaign posters of students or non-students will be posted in the University Center.

2. Campaign literature of student candidates with permission of the cafeteria manager may be placed on the tables in the cafeterias if the literature does not include fund or membership solicitation.

3. Posters or flyers announcing political events, registered for campus, may be posted in the University Center or distributed on cafeteria tabletops in conformance with University Center policy. Only the name of the candidate, the date, time, place and sponsoring organization may be on posters or flyers announcing a political event.

4. Candidates for political office, both student and non-student, may casually visit with students, personnel, or other patrons in the University Center to solicit votes. Distributing campaign literature or cards will be prohibited in the University Center.

5. Political Candidates may reserve rooms for meetings following all University Center policies and subject to all applicable charges.

## **SOLICITATION**

1. Selling, canvassing, petitioning, fund raising, surveying and membership drives by approved student organizations, will be permitted in the University Center after registration with the Director of Auxiliary Services and the Office of Student Development Affairs. University departments, faculty and staff organizations, the Alumni Association and other organizations and entities officially associated with the University must seek approval from the Director of

Auxiliary Services. Reservations for tables and space in the University Center must then be made with the Coordinator.

2. No group, except for University departments and the Alumni Association with approval, shall act as an agent for a commercial company.

3. Fund raising or charitable solicitation *and the sale of products or services* by community organizations *or businesses* ~~shall be~~ *are* prohibited in the University Center. This regulation shall not apply to University functions as defined in the University Solicitation Policy.

4. Solicitation for newspaper delivery may be conducted in the University Center on days designated by the Director of Auxiliary Services in areas assigned by the Coordinator. All newspaper solicitors will have equal space.

## **BUILDING HOURS**

1. The main portion of the University Center will be open daily from 6:30 a.m. until 9:00 p.m. The building will open Saturdays at 7 a.m. and Sundays at 8 a.m. There will be a late charge, for those who reserve rooms, for each additional hour after 9:00 p.m. The University Center may stay open late without charge for a University-sponsored event. The Nibbler's Nook and Post Office areas will be open 24 hours daily. Cafeterias and the Hungry Jack Inn will be open according to posted schedules.

2. All events in the University Center will conclude by 12 midnight, Sunday through Thursday and by 1 a.m. Friday and Saturday. All patrons of the facilities are to vacate the center immediately after that time. No student, faculty or staff member, except by permission of the Director of Auxiliary Services shall remain in the University Center after it is officially closed.

3. Hours of operations of the various areas and closing of the building between semesters, on holidays, and during summer semesters shall be at the discretion of the Director of Auxiliary Services.

## **DECORATIONS**

1. Organizations or individuals conducting activities in the University Center may request assistance with decorating needs from the Special Services Manager. Arrangements for decorations will be made with the Coordinator.

2. There is no charge for using the table decorations from the existing inventory, for catered meals and receptions. Groups and individuals reserving rooms are responsible for safekeeping of arrangements and will be charged for loss or damage. If UC linen tablecloths are used, no crepe paper may be used due to fading. There will be charges for the use of UC linen on non-food tables.

3. Delivery of decorator items from the University Center to other buildings is prohibited except as approved by the Director of Auxiliary Services and with appropriate charges.

4. The University Center will not store items overnight for patrons. All items, including balloons, brought into the Center for decorating purposes must be removed immediately following the event. Trash bags may be supplied by the UC custodial service for balloon and trash removal.
5. The University Center shall not be responsible for any articles left in the building.
6. Decorations will be attached only to self-supporting scaffolding and/or attachments provided for decorating purposes. Standards, easels, room dividers, or tack boards are available and may be requested through the Coordinator.
7. Excessive decorating requests such as: hanging and removing items from the ceiling or sides of the room above the existing wires, activities requiring the use of scaffolding, ladders and electrical hookups will be charged a maintenance fee. (See charges)
8. The use of adhesive tape, glues including spray glue and hot glue, tacky tape, thumb tacks, masking tape or nails on doors, posts, ceilings, walls, floors or fixtures is prohibited.
9. The use of hay or other flammable materials will not be permitted in the UC without prior approval.
10. Decorations must be constructed by the organization outside the facility. Sawing, painting or hammering, other than joining complete sections, must be done outside the building.
11. In case of special decorating needs, check with the Coordinator. A time may be established for entry into the facility for the purposes of decorating with appropriate charges.
- 12 Services and equipment provided at no charge are subject to availability, and working conditions.

## **RESERVATIONS**

1. Reservation Books are opened the first working day of the new calendar year for the following calendar year. The general policy is to honor reservations on a first-come, first-serve basis. Regular summer camps and special University functions will automatically be scheduled for the corresponding dates each year.
2. Reservation contracts must be confirmed and the reservations document signed by the reserving person two weeks prior to each event. Unconfirmed reservations after this time will automatically be canceled.
3. Reservations will not be accepted the day of the event.
4. The scheduling of activities, facilities, or equipment for recognized University clubs and organizations must be made by ~~the president~~ *a group officer* or the sponsor of the organization.

5. Failure to use or release a University Center facility forty-eight hours prior to the event, may result in the group paying the regular room rates.
6. Groups scheduling activities with an expected attendance of 700 or more are required to secure the services of a University Police Officer.
7. Commercial enterprises are normally not permitted to reserve or use space in the University Center for purposes of promotion or selling. The Director of Auxiliary Services may approve a commercial enterprise entering into an agreement with the University Center for solicitation within the center, provided the activity has cultural or educational value.
8. Changes in physical set-up of reserved space must be arranged with the Coordinator or after office hours with the University Center Night Manager. Requested changes will only be accommodated as time permits and will be subject to charges.
9. Off campus groups or individuals may be required to make a prepayment of three fourths of the expected total bill two weeks before the event.
10. Groups and individuals with outstanding bills or debts owed to the University Center will have their reservation privileges in the UC suspended.
11. Only food and beverage prepared by the University Center Food Service will be served in the meeting and dining rooms of the University Center. A Catering Booklet with menus and University Center charges is available in the Coordinator's office.
12. Only registered university organizations may reserve tables adjacent to the lounge areas in the University Center.
13. Events that will continue after 9 p.m. must be scheduled at least two (2) weeks prior to the event.
14. Use of University facilities or services are subject to be changed or cancelled based upon priority needs of the University as determined by the Director of Auxiliary Services.

## **TECHNICAL SERVICES**

1. The University Center will provide technical equipment if available. See the Coordinator for a list of available equipment. Reservations for the event and technical equipment are made with the Coordinator two weeks before the event. Late additions of technical equipment to the order must be made at least two days prior to the event and a late charge will be assessed (See charges).
2. Only University Center personnel will be permitted in the Technical Service booth above the Grand Ballroom.



3. University Center technical equipment will not be taken from the University Center except by approval of the Director of Auxiliary Services and with the appropriate charges.

### **FACILITY USAGE BY APPROVED STUDENT ORGANIZATIONS AND UNIVERSITY DEPARTMENTS**

1. Approved student organizations and University departments will be permitted to use University Center facilities for non-catered events at no charge.

2. Any dance sponsored by an approved student organization must have prior approval from the Dean of Student Development before room reservations will be made. Dances will be limited to one (1) per month per organization.

3. Student organizations will be allowed two (2) hours per week for series meeting purposes. Exceptions must be approved by the Coordinator. ~~Series meetings are scheduled the first class day of the semester.~~ *Series meetings are scheduled by email on a first come first served basis.* Once the series is confirmed and the reservation is processed, changes will not be made without a fee. If two weekly series meetings are missed the series will be canceled.

4. An activity scheduled to continue past 12 midnight must be supervised by a University police officer(s). A fee will be assessed for UPD service in addition to the UC late charge.

### **FACILITY USAGE BY OFF-CAMPUS GROUPS**

1. Off-Campus groups which are sponsored by a University department may use the University Center facilities without room charges.

2. Off-Campus groups without a University department sponsor shall be permitted to use the facilities of the University Center and will be subject to guidelines and charges.

### **CATERING**

See Catering Booklet or access the Catering website at <http://www.osa.sfasu.edu/auxser/catering.html> on the internet.

### **CAMPUS LOST AND FOUND**

The University Center shall maintain a campus Lost and Found Department at the Information (See Disposition of Abandoned Personal Property policy in the SFA Policy and Procedure Manual).

### **CHARGES**

See University Center price list at our web site <http://www.auxser.sfasu.edu/uc/pricelist.html> on the internet.

**Source of Authority:** Board of Regents, President, Vice President for University Affairs

**Cross Reference:** None

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

**Forms:** None

## **Food Services**

**C-13.5**

Original Implementation: January 20, 1998

Last Revision: ~~January 30, 2001~~ *October 23, 2003*

The University is committed to providing students the opportunity to participate in the selection and evaluation of the food service contractor. Students are encouraged to participate by attending regularly scheduled meetings of the Food Service Advisory Committee. The Advisory Committee provides the Director of Auxiliary Services and food service contractor with immediate feedback on issues and concerns of the students.

During the last year of each contract term, the University will ask the Food Service Advisory Committee to participate in the formal evaluation of the food service program. Should the University decide to retain the contractor, the Advisory Committee will assist the Director of Auxiliary Services in the preparation of the terms and conditions of the new contract.

Should the decision be made to re-bid the contract, an ad hoc committee will be convened. The committee will be appointed by the Vice President for University Affairs and will include members of the Advisory Committee, the faculty and administration.

**Source of Authority:** Section 51.940, Texas Education Code; Board of Regents; President; Vice President for University Affairs

**Cross Reference:** Stephen F. Austin State University Web Page

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

**Forms:** None

## Withdrawal Without Financial Clearance

C-39

Original Implementation: October 26, 1978

Last Revision: ~~August 1, 2000~~ October 23, 2003

Any student who withdraws from or otherwise leaves the University ~~without~~ *must* clearing his/her financial record, ~~i.e., without having returned borrowed books and equipment, paid any outstanding University property traffic fines, and settled other financial matters with the University.~~ *Students failing to fulfill these obligations will be subject to the following sanctions until such time that as the record is cleared. Sanctions will be imposed whenever a student is in possession of unreturned university property or is otherwise indebted to the university beyond a minimal amount established by university administration for unpaid fines, etc.*

*The following sanctions will be imposed:*

1. The student will not be permitted to re-enroll.
2. The student will not be eligible to receive an official transcript of academic work completed.
3. The student will not be issued a diploma.

### PROCEDURES FOR IMPLEMENTATION

1. When a student withdraws, notification will be sent by the Registrar to:

~~(a) the instructor of each course in which the student has been enrolled,~~

~~(ba) the dean of the appropriate academic college, and~~

~~(eb) the Business Office,~~

~~(c ) the Financial Aid Office,~~

~~(d) the Housing Office and~~

~~(e) Steen Library.~~

2. Each department in which the student has a financial deficiency *requiring the imposition of sanctions will either contact the student in an effort to clear their part of the student's financial record, notify the Business Office, citing the nature of the deficiency or will place a registration and transcript hold on the student's record. It will be the student's responsibility to contact the appropriate office to clear his/her record. These offices will then notify the Registrar's Office once the deficiency has been resolved.*

3. All deficiencies which persist will be reported by the affected department so that the Registrar can implement the will impose sanctions specified in the policy until the student's record is cleared.

4. When a student leaves the University without officially withdrawing and has not cleared his/her financial record, the affected department will implement steps 2 and 3, as outlined above.

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

**Cross Reference:** General Bulletin, Graduate Bulletin

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

**Forms:** None

## Professional and Consultant Services

C-45

Original Implementation: October 26, 1999

Last Revision: ~~April 22~~ October, 2003

Before entering into a Professional or Consultant Services contract, the department must determine whether the individual should be hired as an independent contractor through the procedures outlined herein or as an employee through the PAR process. To make this determination, refer to the IRS 20-Question test ([www.myplanet.net/rstrate/NSN\\_IRS\\_20\\_Questions.html](http://www.myplanet.net/rstrate/NSN_IRS_20_Questions.html)).

### DEFINITIONS

"Professional Services" means those services within the scope of the practice of:

- 1) accounting
- 2) architecture
- 3) landscape architecture
- 4) land surveying
- 5) medicine
- 6) optometry
- 7) professional engineering
- 8) real estate appraising
- 9) professional nursing

or those services provided in connection with the professional employment or practice of a person who is licensed or registered as

- 1) a certified public accountant
- 2) an architect
- 3) a landscape architect
- 4) a land surveyor
- 5) a physician, including a surgeon

- 6) an optometrist
- 7) a professional engineer
- 8) a state certified or state licensed real estate appraiser
- 9) a registered nurse

Based on State Comptroller object codes and associated reporting requirements, the following types of services are also categorized as professional services and will be processed under the same rules and guidelines defined herein:

- 1) guest artists
- 2) guest entertainers
- 3) guest lecturers
- 4) guest musicians
- 5) guest performers
- 6) guest speakers
- 7) other professional services

"Consulting Services" means the service of studying or advising a state agency under a contract that does not involve the traditional relationship of employer and employee.

A consultant may be used only if there is a substantial need for the consulting services and only if the agency cannot adequately perform the services with its own personnel or obtain the consulting services through a contract with a state governmental entity.

"Major Consulting Services Contract" means a consulting services contract for which it is reasonably foreseeable that the value of the contract will equal or exceed \$125,000.

NOTE that the \$125,000 threshold is not a one-time cost, but rather a cumulative amount for on-going consulting services.

"Consultant" means a person that provides or proposes to provide a consulting service. The term includes a political subdivision but does not include the federal government, a state agency, or a state governmental entity.

## SELECTION OF A PROVIDER

A "Professional Service" provider is not to be selected on the basis of competitive bid but rather 1) on the basis of demonstrated competence and qualifications to perform the services; and 2) for a fair and reasonable price, as long as professional fees are consistent with and not higher than the recommended practices and fees published by the various applicable professional associations and do not exceed the maximum provided by law.

Architectural, engineering, or land surveying services must be procured in the following manner in accordance with Government Code 2254.

- 1) Select the most highly qualified provider based on demonstrated competence and qualifications;
- 2) Attempt to negotiate a contract with the selected provider at a fair and reasonable price;
- 3) If a satisfactory contract cannot be negotiated with the most highly qualified provider, formally end negotiations with that provider; select the next most highly qualified provider; and attempt to negotiate a contract at a fair and reasonable price. The selection process for architectural, engineering, or land surveying services shall continue in this manner until a contract is accepted by all parties.

A "Consulting Service" provider is to be selected based on demonstrated competence, knowledge, and qualifications and on the reasonableness of the proposed fee for the services. If other considerations are equal, preference shall be given to a consultant whose principal place of business is in the state or who will manage the consulting contract wholly from an office in the state.

If competitive bidding will enhance the selection process for either professional or consulting services, contact the Purchasing Director to discuss options for making informal price comparisons or preparing a formal Request For Proposal.

Major Consultant Contracts \$125,000 or greater must be submitted to the Legislative Budget Board and the Governor's Budget and Planning Office, and must be submitted to the secretary of state for publication in the Texas Register for a minimum of 30 days. *The published invitation must include a finding by the President that the consulting services are necessary and an explanation of that finding.* The General Counsel's office must be contacted to process this paperwork.

Professional or Consulting Service solicitations \$25,000 or greater must be posted on the State Business Daily (Marketplace) up to 21 days prior to the date of service.

Professional or Consulting Services \$50,000 or greater must be approved by the Board of Regents. (Items Requiring Board of Regents Approval, Policy D20.5)

## RESTRICTIONS ON HIRING PREVIOUS OR RETIRED EMPLOYEES

### 1. HIRING A PAST EMPLOYEE *AS A PROFESSIONAL OR CONSULTANT*



State Funds - strictly prohibited within 12 months of the employee's separation date

Local Funds - allowed within 12 months of the employee's separation date ONLY with Presidential approval and ONLY with discretionary funds; the purchase process will follow that outlined in 'Procedures For Securing Professional Or Consultant Services'.

## | 2. HIRING A RETIREE AS A PROFESSIONAL OR CONSULTANT

State Funds - strictly prohibited within 12 months of the employee's separation date

Local Funds - allowed within 12 months of the employee's separation date ONLY with Presidential approval and ONLY with discretionary funds; the purchase process will follow that described below.

## 3. HIRING A PAST EMPLOYEE/RETIREE AS A CONSULTANT

If a past employee or retiree is hired within 2 years of leaving SFA or any other state agency, the consultant must disclose in his/her offer or contract the following information: a) nature of employment at the agency; b) the date employment was terminated; c) the annual rate of compensation at termination. *This requirement does not apply to professional services.*

## | 4. HIRING A COMPANY EMPLOYING A PAST OR RETIRED EMPLOYEE AS A PROFESSIONAL OR CONSULTANT

Any Funds - allowed only if the past or retired employee does not work on a project that was similar to his/her duties while employed by SFA within the first 12 months of leaving.

## | 5. HIRING AN EXECUTIVE DIRECTOR OF ANY STATE AGENCY FOR ANY CONTRACT

Any Funds - Restrictions apply to contract for professional or consultant services with a) the executive director of the state agency; b) a person who at any time during the four years before the date of the contract was the executive director of the state agency; c) a person who employs a current or former executive director of a state agency. (Government Code 669.003)

## PROCEDURES FOR SECURING PROFESSIONAL OR CONSULTANT SERVICES

| 1) Determine if the need is that of a professional or a consultant service. Contact the Purchasing Director or Office of the General Counsel if assistance is needed in making this determination.

2) Determine if the selection of a professional or consulting service provider would be enhanced by informal price or qualifications comparisons or a formal Request For Proposal or Request for qualifications process. Contact the Purchasing Director to discuss options.

3) Once the need is identified, enter the requisition. Amounts may be estimated. If the vendor will perform essentially the same service on multiple dates, only one requisition is to be entered with separate lines for each date.

4) If the contract is a "Major Consultant Contract", the department must ~~contact the General Counsel's office for appropriate action~~ *complete a Major Consulting Contract Request form at least 60 days prior to the need for service. The form is to be forwarded to the Office of the General Counsel to facilitate the finding and posting requirements stated above under 'Selection Of A Provider'.*

5) Negotiate a contract, either directly or through Purchasing. All applicable rules associated with the amounts specified in 'Selection of A Provider' must be followed.

6) Agreements for expense reimbursement only do not require execution of a formal contract. *Other professional or consultant agreements require a formal contract be reviewed by the Office of the General Counsel and signed by the President.*

7) ~~Agreements including a stipend only or stipend plus expense reimbursement require a formal contract to be reviewed by General Counsel and signed by the President.~~ The department may draw up a contract using samples provided by General Counsel ([www.sfasu.edu/gencounsel/howtos2.htm](http://www.sfasu.edu/gencounsel/howtos2.htm)) or Purchasing may complete the contract. The contract may be complex or very simple depending on the nature of the services to be provided and must clearly define:

a. The responsibilities of each party, in clear detail

b. The period of time the contract is to be in effect

c. The amount of payment

d. The terms of payment

e. The contractor's federal identification or social security number for payment processing; to secure this information, the department should have the Contractor complete a W9 form. The form can be obtained from the Controller's Office

8) The contract must be reviewed by SFA General Counsel and signed by the President or other administrator with written delegated contracting authority.

9) The completed contract with signatures of all parties must be forwarded to Purchasing for completion of the Purchase Order.

10) The receiving entry must be made in the FRS system. Payment will be made through normal Accounts Payable procedures. To insure inclusion in a particular Thursday's check run, the department should have payment information to Accounts Payable by the previous Friday.

11) The consultant's report, if applicable, must be on file in Accounts Payable before payment will be made.

**Source of Authority:** Texas Government Code Title 10, Subtitle F, Section 2254; Texas Government Code Title 10, Subtitle F, Section 2252.901; Texas Government Code Title 6, Section 669.003; Vice President for Business Affairs

**Cross Reference:** None

**Contact for Revision:** Director of Purchasing and Inventory

**Forms:** Sample forms/clauses available on General Counsel's web page, [www.sfasu.edu/gencounsel/howtos2.htm](http://www.sfasu.edu/gencounsel/howtos2.htm)

## Travel

C-49

Original Implementation: October 31, 2000

Last Revision: ~~July 25, 2002~~ October 23, 2003

### Applicability

Unless otherwise stated, 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

Generally, 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 [Travel Website](#). In case of conflict between the Guide and this policy, this policy takes precedence. 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.

The applicable account manager may limit or prohibit reimbursement of any travel expenditure provided the traveler is notified in advance.

### 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 [Travel Website](#)) 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 [Travel Website](#)), 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 Chair of the Board of Regents. The traveler must submit a Travel Request through the appropriate administrative channels to the President, who will forward the request to the Board Chair. 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 Travel Website) must be routed through the appropriate administrative channels in sufficient time to be approved by the Board Chair prior to the date of departure.

### **Charge Card for Travel Expenses**

An ~~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. An employee is not required to accept a State-issued charge card.

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.

If the application is approved by ~~Bank of America~~ *the credit card company*, the employee agrees to be bound by the ~~Corporate Card and Commercial Card~~ *cCardmember a* Agreement which will be sent with each card. Additionally, the employee agrees to be bound by the State policies governing the use of the *cCard*. Applications and further information concerning this program are available in the Controller's Office or at Travel Website. *The employee, the employee's supervisor, and the travel manager in the Controller's Office must sign the application.* ~~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 form (available from University Printing Services and at Travel Website) for: (1) employees ineligible for the Bank of America individual corporate charge card, (2) group travel, or (3) *airline tickets that must be paid well in advance of the travel date.* ~~(3) airline and hotel reservations that must be paid well in advance of the travel date, or (4) travel with particularly unusual circumstances (reason must be specified on the Travel Request form).~~ *Employees eligible for the corporate credit card are not eligible for advances. Eligibility for the state-issued corporate card is defined as taking three or more business trips per fiscal year or expending at least \$500.00 per fiscal year for official State business.* 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~~ *commenced*. 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 [Travel Website](#)) 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**. In the case of meal expenses for group travel, the sponsor/advisor must provide documentation of how the funds were expended. The sponsor/advisor should contact the travel manager in the Controller's Office in advance of the trip for instructions.

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 [Travel Website](#).

#### 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 [Travel Website](#). 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 eighty dollars (\$80) 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 [Travel Website](#)) 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.~~ *Texas State Comptroller provides the maximum reimbursement rates for out-of-state lodging.* A list of the rates, which is updated from time to time, is available at Travel Website.

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**

This section of the Travel policy is inapplicable to Road Bus Drivers. Normally, Road Bus Drivers are not reimbursed for meals. Any reimbursement of meal expenditures by Road Bus Drivers is subject to the discretion and approval of the Director of the Physical Plant.

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	\$ 5.00	16.7% of locality-based allowance
Lunch	\$10.00	33.3% of locality-based allowance
Dinner	\$15.00	50% of locality-based allowance
Total	\$30.00	

\* Within the continental United States, meal reimbursement is limited to the locality-based allowance (list available at Travel Website ) 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

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,~~ \$25.00 per day -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 own expenses.
- Tips, gratuities, and alcoholic beverages are not reimbursable.
- Meal receipts are not required. In the case of meal expenses for group travel, the sponsor/advisor must provide documentation of how the funds were expended. The sponsor/advisor should contact the travel manager in the Controller's Office in advance of the trip for instructions.

### **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 [Travel Website](#) ) 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~~ *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 [Travel Website](#) ) 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 [Travel Website](#) ) and registration form must be submitted to the Controller's Office well in advance of the payment due date.

*The state-issued Procurement Card may also be used to prepay registration fees.*

### **Airline Ticket Purchases**

Any airline ticket expense, whether to be prepaid or reimbursed, must be listed on the approved Travel Request.

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 [Travel Website](#) .

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 [Travel Website](#) . 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.** However, an employee may request advance travel funds for airline tickets that must be paid well in advance of the travel date. 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 [Travel Website](#) .

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, except meals.** However, the sponsor/advisor must provide documentation of how the funds were expended for meals. The sponsor/advisor should contact the travel manager in the Controller's Office in advance of the trip for instructions. 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-XXXXX)** 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. Additional methods of payment are available to pay expenses incurred during the interview process and are listed on the Travel Request-Pro prospective Employee form.~~

### **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; 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 Request-Pro prospective Employee*, Travel Voucher, Texas Hotel Occupancy Tax Exemption Certificate, and Purchase Voucher (all available from University Printing Services and at [Travel Website](#)); Report for State Agency Travel to Washington, D.C. (available at [Travel Website](#) ); 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.~~

~~We hope the information in this site is helpful to you in making your travel plans and by answering some of your travel questions. If you still need assistance, please contact the~~

| controller's office Travel Desk by e-mail or call me at (936) 468-2303.

For questions or comments about this site

Contact the Web Administrator

Last Revised: 08/23/2002 23:15:06 Last Revised: August, 2002

## ACCESS TO UNIVERSITY RECORDS

D-1

Original Implementation: 1975

Last Revision: ~~July 27, 1999~~ October 23, 2003

Access to documents or records in the custody or control of Stephen F. Austin State University is determined by the provisions of state law. In ~~G~~general, the records of the University are open to public inspection during normal business hours, upon written request. However, various exceptions to the public's right to examine University documents exist under law. These include, but are not limited to, information in personnel files, the disclosure of which would clearly be an unwarranted invasion of privacy; documents relating to litigation or settlement negotiations; information relating to the possible purchase of real property; student records; interagency or intragency memoranda or letters not available by law except in the context of litigation; and rare books or original manuscripts held for the purpose of research.

Written requests for the inspection of records or documents, except for lists of employees, should be immediately referred to the ~~Custodian of Public Records, who is the University's General Counsel~~ *Office of the General Counsel*. Requests for lists of employees, with addresses, should be submitted to the Director of Personnel Services. The University may charge for copies of public information in accordance with the fee schedule created by the ~~General Services Commission~~ *Texas Building and Procurement Commission*.

This policy does not prevent either students or employees from examining University records applying to themselves.

SOURCE OF AUTHORITY: ~~Open Records~~ *Public Information Act*, Texas Government Code, Chapter 552; President

CROSS REFERENCE: None

CONTACT FOR REVISION: General Counsel

FORMS: None

## Disposition of Abandoned Personal Property

D-9

Original Implementation: October 18, 1988

Last Revision: ~~January 30, 2001~~ October 23, 2003

Lost property means any unclaimed personal property coming into the possession of the University, other than motor vehicles, as defined in the Texas Transportation Code. Lost property shall be deemed abandoned if the rightful owner does not come forth and make a valid claim within ninety (90) days of the University's original possession.

Unless the abandoned property is being held as evidence to be used in a pending criminal case, the University may dispose of the abandoned property by public auction. The profits of the auction shall be used for student service activities *as directed by the Office of Student Affairs*. However, if the rightful owner makes a valid claim to abandoned property before auction, then the University shall return the property to the rightful owner.

### REPORTING OR CLAIMING ABANDONED PERSONAL PROPERTY

Any individual finding lost property on the University campus or seeking to claim lost property should follow the guidelines listed below.

1. A person finding lost or unclaimed property should turn in said property at the University Police Department or the Information Desk in the University Center. Lost or unclaimed property found in Steen Library should be turned in to the Circulation Desk on the first floor. Lost or unclaimed property found in academic buildings should be turned in to the appropriate departmental office. Lost or unclaimed bicycles or other bulky items are stored in the University Police Department.
2. A written "Record of Unclaimed Personal Property" form indicating the date the lost or unclaimed property came into the University's possession shall be completed and retained by the receiving department.
3. After fifteen (15) days, all unclaimed property held in the University Police Department, in Steen Library, or in other campus areas such as departmental offices, shall be transferred to the University Center Information Desk with the record indicating the date of receipt of the unclaimed property.
4. Lost items may be claimed at the Information Desk upon presentation of reasonable identification of the lost property.
5. A public auction is held annually under the direction of Student Activities at a time and place announced during each academic year.

**SOURCE OF AUTHORITY:** Texas Education Code, Section 51.213, President, Vice President for University Affairs

**CROSS REFERENCE:** None

**CONTACT FOR REVISION:** General Counsel, Vice President for University Affairs

**FORMS:** Record of Unclaimed Personal Property (available in University Printing Services)

## Hazing

D-16

Original Implementation: September, 1987

Last Revision: ~~October 31, 2000~~ October 23, 2003

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

### Definitions

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

Hazing acts include but are not limited to:

1. any type of physical brutality such as whipping, beating, striking, branding, electronic shocking, ~~etc.~~, *placing a harmful substance on the body, or similar activity*;
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, *liquor*, drug or other substance ~~which~~ *that* subjects the student to *an* unreasonable risk ~~or~~ *of* harm *or that adversely affects the mental or physical health of the student*;
4. any activity that intimidates or threatens the student with ostracism, *that* subjects the student to extreme mental stress, shame, humiliation, ~~or~~ *that* adversely affects the mental health or dignity of the student or discourages the student from entering or remaining *registered* at the institution, *or that may reasonably be expected to cause a student to leave the organization or the institution rather than submit to the acts described in this policy*;
5. any activity that induces, causes, or requires the student to perform a duty or task which involves a violation of the Penal Code.

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

1. engaging in hazing;
2. soliciting, encouraging, aiding or directing another engaging in hazing;
3. intentionally, *recklessly* or knowingly permitting hazing to occur;



4. having first-hand knowledge that a specific hazing incident *is being planned or* has occurred and failing to report said knowledge in writing to the ~~Dean of Student Development~~ *Judicial Officer*.

**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**

**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 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~~ *\$2,000* and/or 180 days in jail for failure to report a hazing incident to a fine of \$10,000 and two years in jail for an incident which causes the death of a student.

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

### **Notice of Policy**

**To General Campus Community.** This policy shall be published in the General Bulletin, SFASU Website, 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~~ *V.T.C.A.*, Education Code, secs. 4.51 to 4.58 *37.151 to 37.157*; *V.T.C.A.*, Education Code, secs. 51.936; Board of Regents; President; Vice President for University Affairs

**CROSS REFERENCE:** SFASU Web pages , General Bulletin

| **CONTACT FOR REVISION:-** ~~Dean of Student Development~~ *Judicial Officer*

**FORMS:** None

## Illicit Drugs and Alcohol Abuse

D-19

Original Implementation: September 1, 1986

Last Revision: ~~January 28, 2003~~ *October 23, 2003*

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

It is the University's policy that all members of the University community and guests are required to comply with federal, state, and local laws regarding the possession, consumption, and distribution of alcoholic beverages.

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 that the unauthorized use of intoxicating beverages on University controlled 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, alcohol is permitted in apartments only for individuals 21 years of age or older.

Alcoholic beverages will be permitted for authorized University sponsored or co-sponsored events on University controlled property only as follows:

Lumberjack Alley tailgate events (must cease 30 minutes prior to the game);

Homer Bryce Stadium Pressbox (only if catered or sold through a licensed vendor);

University Center receptions or meals (only if catered or sold through a licensed vendor and approved in advance by the President);

Opera House Downtown Art Gallery (only beer and wine may be served for events approved in advance by the Dean of Fine Arts);

President's House (both interior and exterior).

In all cases, possession or use of alcohol must be in full compliance with applicable state laws including the Texas Alcoholic Beverage Code. Nothing herein shall be taken as an assumption of risk or responsibility on the part of the Board of Regents, the University or its employees for any injuries or damages, whatever kind, resulting from any person's possession or use of alcohol, whether such use is legal or illegal. The only University funds which may be used to purchase alcohol are approved discretionary accounts. Under no circumstances will appropriated funds, funds under the control of the Athletics Department, or funds generated by research grants and contracts be used to purchase alcohol. The General Appropriations Act also limits the consumption of alcoholic beverages by University employees to non-duty times, therefore, alcoholic beverages may not be served at official functions between 8 a.m. and 5 p.m., Monday through Friday.

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. *At the discretion of the Vice President for University Affairs, a student suspended under this policy may, under certain conditions, remain enrolled at the University on disciplinary probation for the remainder of the current or subsequent semester, pending in position of a suspension at a later date.*

University sanctions imposed for alcohol possession or consumption *can* 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 progressive levels of probation leading to suspension for multiple offenses, attendance at an alcohol education class offered by the University, community service, substance abuse evaluation, treatment, and/or counseling. Any cost for services or treatment not offered as a student service on campus will be the responsibility of the student.~~

## 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.

## State and Federal Penalties

### **Federal Law**

#### **Offense**

#### **Minimum Punishment**

#### **Maximum Punishment**

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

Imprisonment for up to 15 years and a fine not to  
exceed \$250,000

### **Texas Law**

#### **Offense**

#### **Minimum Punishment**

#### **Maximum Punishment**

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 180  
days, or confinement in a community  
correctional facility for not more than 1

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

year, and a fine not to exceed \$10,000

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, <i>possible loss of driver's license and license surcharge up to \$2,000 per year for 3 years.</i>	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 <u>or</u> consumption <u>or</u> 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 <i>or</i> furnishing alcohol to a minor	<del>Fine of not more than \$500</del> Fine of up to \$4,000 and/or up to 1 year in jail	<del>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</del>
Driving under the influence of alcohol by a minor	Fine of not more than \$500 and community service related to education about or prevention of misuse of alcohol.	A fine of not less than \$500 or more than \$2,000, confinement in jail not to exceed 180 days and/or both; community service related to education about or prevention of misuse of alcohol.

## Counseling, Treatment and Rehabilitation

### Students.

Stephen F. Austin State University, through the Counseling and Career Services office, provides ~~an alcohol/drug abuse prevention program~~ *service* which is available to all students. ~~Program components~~ *Services* 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 ~~Associate Dean of Student Development.~~ *Judicial Officer.*

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 ~~Associate Dean of Student Development.~~ *Judicial Officer.* 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~~ *Counseling Services* 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. 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; OMB Circular A-21; *V.T.C.A., Transportation Code, 708.102*; *V.T.C.A., Alcohol Beverage Code secs. 106.01 to 106.15*; *V.T.C.A., Penal Code secs. 12.01 to 12.49*; Board of Regents; President

**Cross Reference:** None

**Contact for Revision:** General Counsel

**Forms:** None

Original Implementation: April 9, 1988

Last Revision: ~~July 14, 1998~~ October 23, 2003

Stephen F. Austin State University encourages participation by faculty, staff and students in scholarly research and creative activities that support and enhance teaching in its classrooms and laboratories. While research conducted at Stephen F. Austin State University is aimed at discovery and dissemination of knowledge, rather than profit from commercial application, the Board of Regents recognizes that questions regarding intellectual property rights may arise from such activities. The Board of Regents seeks through adoption of this policy to balance the interests of the public, the University and the inventor, author, or creator in intellectual property arising from research and creative activities conducted by employees of the University. The Board further seeks to ensure that inventions, discoveries and creative works are used and controlled in an efficient and prudent manner which will result in maximum benefit to the public, the University and the inventor, author, or creator.

### Applicability

This policy shall apply to all persons employed by Stephen F. Austin State University or a component thereof, and to anyone using facilities or funds subject to control or supervision by Stephen F. Austin State University. This policy, as amended from time to time, shall be deemed to constitute part of the conditions of employment of every employee, including student employees. Unless otherwise excluded, this policy shall apply to intellectual property of all types (including any invention, discovery, trade secret, technology, scientific or technological development, computer software, conception, design, creation or other form of expression of an idea) regardless of whether subject to protection under patent, trademark, or copyright laws, or common law.

### Copyright

#### 1. Definitions

a. Copyright is the ownership and control of the intellectual property in original works of authorship. Copyright ownership and the rights thereof are defined by federal law. It is the policy of Stephen F. Austin State University that all rights in copyright shall remain with the creator of the work unless otherwise subject to contractual legal obligations, or the work is a "work made for hire" as that term is defined by federal law. *The University will not require faculty to produce "works made for hire" as part of their workload or as terms for continued employment unless the production of works made for hire were a part of the faculty member's original conditions of employment.*

b. A "work made for hire" is:

(1) *If expressly agreed to by the parties in a written instrument, a work specially ordered or commissioned by the University for use as a contribution to a collective work, as a part of a motion picture or other audiovisual work, as a translation, as a supplementary work, as a compilation, as an instructional text, as a test, as answer material for a test, or as an atlas, if the parties expressly agree in a written instrument signed by them that the work shall be considered shall be considered a "work made for hire."* An "instructional text" is a literary, pictorial, or graphic work prepared for publication and with the purpose of use in systematic instructional activities. Multimedia courseware specially commissioned by the University shall be included as a work made for hire. "Multimedia courseware" is defined as interactive teaching aids created and deployed with electronic tools. They may incorporate text, graphic video, and audio elements and may be mounted for remote access on a file server or pressed onto a CD-ROM for stand-alone distribution. Examples include but are not limited to, distance education courses, electronic textbooks, hypertext modules, simulation software, and databases containing numbers, images, or text. *Financial support for course development or course reductions offered by the University to aid with course development of on campus or distance education courses will not by itself constitute a work made for hire unless agreement is reached prior to such arrangements that the resulting course will be a work made for hire.*

## 2. Ownership

### a. General

*In keeping with academic tradition, the University does not claim ownership of copyrightable intellectual property created by faculty during the normal course of their employment unless otherwise agreed in writing. Such property includes but is not limited to: course content, syllabi, course materials, course computer enhancements (courses in which 50% or more of content is delivered by electronic means to off campus students are governed by policy D-20A), authored/ created textbooks, books, articles, software, multimedia courseware, data sets in any format and similar works, the intended purpose of which is to disseminate the results of academic research or scholarly study created on the faculty's own initiative. Further, the University claims no ownership of faculty authored/created popular nonfiction, novels, poems, musical compositions, software or other works of artistic imagination which do not result from projects commissioned or assigned by the University. Unless evidence of excessive use or abuse of University funds or facilities exists, the University will convey, upon request and to the extent consistent with its legal obligations, the copyright in such works to the individual faculty creator(s) or author(s). Faculty members will make such decisions and take such steps to protect works they own, with their discretion.*

### b. Sponsored Research Agreements

Copyright ownership of all material (including software) that is developed in the course of, or pursuant to, a sponsored research agreement (whether funded by a public or private agency or organization) shall be determined in accordance with the terms of the sponsored research agreement, or, in the absence of such terms, the copyright shall ~~become the property of the University~~ *be negotiated with the author.*

c. Use of University Resources

(1) Copyright in all material (including software) that is developed with the significant use of funds, space, hardware, or facilities administered by the University, including but not limited to classroom and laboratory facilities, but without any obligation to others in connection with such support, shall reside in the University. The University recognizes and affirms the traditional academic freedom of its faculty to publish freely without restriction. In keeping with this philosophy, the University will not construe the provision of office, *computer* or library facilities as constituting significant use of University funds, except for those situations where the funds were paid specifically to support the development of such material ~~or where reductions in work load have been granted.~~ *Faculty development leaves, faculty development grants, minigrants and research course reductions will not be construed as a significant use of University funds.*

(2) Copyright in works resulting from projects that are performed in whole or in part by any person with ~~financial support in the form of wages, salaries, stipends or grants from funds administered by the University~~ shall be determined in accordance with the terms of the support agreement or, in the absence of such terms ~~shall be negotiated by the parties involved~~ *become the property of the University. The University will determine whether to register and enforce the copyright on works it owns.*

(3) ~~Copyright in works generated by research performed in whole or in part by any person while utilizing equipment or facilities provided to the University under conditions that impose copyright restrictions shall be determined in accordance with such restrictions~~

d. Joint Works

Works may be created through the joint efforts of faculty, employees working within the scope of employment, and/or others under contract to provide services. Such joint works would be jointly owned by the faculty member and University. Ownership agreements should be executed to memorialize the parties intentions and avoid later confusion over ownership rights. Any of the joint owners may register and enforce the copyright in the names of all owners with accounting. In the absence of an agreement on the division of revenues, they will be shared pro rata after recouping costs.

### 3. Revenue Sharing

#### a. Works Not Owned by Stephen F. Austin State University

If the University does not claim ownership of an intellectual property, authors and creators of intellectual works not owned by the University may copyright the related work, publish it, register the copyright and receive any revenues which may result therefrom.

#### b. Works in Which Stephen F. Austin State University Has a Property Interest (Generally, Commissioned Works or Works prepared in the course and scope of employment)

(1) Royalty income received by the University through the sale, licensing, leasing or use of copyrightable material in which the University has a property interest will normally be shared with the author. Authorship for this purpose shall be determined by the President or his designee. Compensation and division of royalties, if any, will be negotiated by written agreement prior to commencement of work on the project, or as soon thereafter as practical.

(2) In the event that an author contributes a personal work to the University, a written agreement accepting such contribution shall be executed. The terms of the agreement shall include a statement governing the division of royalties between the University and the author.

(3) In cases of extramural funding, the terms of the funding agreement shall govern the division of any royalties that may result from commercialization of materials resulting therefrom. In the event that the funding agreement vests royalty rights in the University, and does not provide any royalty share for the author, the terms of Copyright, Section 3.b.(1) shall apply. No such royalty payment to the author, however, may violate the terms of the funding agreement.

### 4. Use of University or Agency Sponsored Materials

a. Prior to the use of a work in which the University has an interest, the author will consult with the University through appropriate administrators, or provide a reasonable opportunity for such consultation, with respect to its use. The University reserves the right to use for instructional and research purposes, without obligation to make payment therefore, any works created by employees or students during their periods of employment or attendance and revisions or derivations of such works.

b. When unresolved questions on use occur, they shall be referred to the President or his designee for resolution.

### 5. Revision of Materials

Materials owned by the University under the terms of this policy shall not be altered or revised without providing the author a reasonable opportunity to assume the responsibility for the revision. If the author declines the opportunity to revise such material, the assignment of responsibility for the revision will be made by the President or his designee in consultation with the appropriate department or office.

#### 6. Withdrawal of Materials

a. Materials owned by the University under the terms of this policy shall be withdrawn from use when the University, in consultation with the author, deems such use to be obsolete or inappropriate. No withdrawal or other discontinuance that would violate the terms of any licensing or other agreement relating to the materials shall take place.

b. The University may release to the author(s) the right to any work copyrighted in the name of the University.

#### 7. Warranty

Authors/creators must obtain appropriate permissions and releases necessary to avoid infringing or invading the personal rights of others. An author or creator of any work owned by the University under the terms of this policy shall warrant that, to the best of his/her knowledge, the work does not infringe on any existing copyright or other legal rights; that work not identified as quotations is the expression and creation of the author; that necessary permission for quotations and the like has been obtained; and that the work contains no libelous material or any material that invades the privacy of others.

#### 8. Notice of Copyright

Although the law does not require copyright notice for legal protection, the University encourages that such notice be applied to all works.

All material owned by the University under the terms of this policy shall be protected by notice of copyright in the name of the University. The proper form of such notice is as follows:

@ 19\_\_\_\_, Stephen F. Austin State University. All rights reserved.

The date should be the year in which the work was completed or in which it was published, whichever is earlier. The name of the University should be spelled out in its entirety.

Works in the electronic environment are protected under Copyright Law just as print works are protected, from the moment of fixation in a tangible medium of expression. This is generally understood to include fixation in a central processing unit.

## Patents

### 1. Obligations

- a. Employees and others who are subject to this policy by virtue of their employment or use of University services or facilities shall disclose to the President or his designee, any invention or discovery (including those made under cooperative arrangements); provide complete information thereon; and cooperate with the University in protecting potential patent and know-how rights in accordance with Administration of Intellectual Property below.
- b. When an invention arises from a project specially commissioned by the University, created in the course of employment, or with use of University facilities or funds beyond the provision of office or library facilities, the inventor shall assign all rights, title and interest in and to any such invention to the University or its designee and assist the University or its designee in securing patent protection on the invention. In this instance, the inventor shall, upon request, execute an invention agreement prior to commencement of the project, or as soon thereafter as practical.
- c. All parties privy to inventions, know-how, trade secrets, or other discoveries which may be patentable shall maintain such information in strict confidence, so as to protect the intellectual property (subject to internal disclosure as outlined above). Researchers, consultants, and other individuals hired on project which may involve the development of patentable property, shall execute a non-disclosure agreement. Notwithstanding this provision, all employees shall be subject to non-disclosure and confidentiality obligations on patentable or other trade secret information as a term and condition of employment.

### 2. Sponsored Research

- a. In cooperative undertakings sponsored by, or involving, third parties, provisions for the control of patents normally should be consistent with the general policy stated above. The provision of sponsored research funds shall trigger patents section 1.b. above. However, it is recognized that in some cases the interests of other organizations (federal, industrial, etc.) will justify modifications of the general policy. In those cases, the provisions with respect to patents shall appear in the applicable memorandum of understanding or agreement for the review and approval of the President. It is intended and provided that disclosed inventions will be identified and managed in accordance with patent policy and procedures.
- b. Nothing in this policy shall be interpreted as precluding the acceptance of a contract, grant, or agreement that provides for ownership of inventions and patent rights by the cooperating agency or organization.

### 3. Royalties



a. After a deduction of fifteen percent (15%) for administrative costs, and a deduction for the cost of patenting, licensing, and protecting of invention and patent rights, the net royalties or other income arising from an invention or discovery shall be divided as follows:

(1) Fifty percent (50%) to the inventor(s);

(2) Fifty percent (50%) to the University.

b. Special facts concerning an invention may warrant a different distribution of royalties. Agreements with respect to royalties shall be in writing and signed by the President or his designee. Any agreement which grants the inventor more than fifty percent (50%) of the net royalties shall require approval of the Board of Regents.

c. In the event that a person contributes an invention to the University, a written agreement accepting the contribution shall be executed. The terms of the agreement shall include a statement governing the division of royalties between the University and the donor.

#### 4. Use of Inventions and Discoveries

a. Prior to the use of an invention or discovery in which the University has an interest, the employee responsible for the invention or discovery will consult with the University through appropriate administrators, or provide a reasonable opportunity for such consultation, with respect to its use. The University reserves the right to use for instructional and research purposes, without obligation to make payment therefore, any inventions or discoveries made by employees during their periods of employment and revisions or derivations of such inventions or discoveries.

b. When unresolved questions on use occur, they shall be referred to the President or his designee for resolution.

#### Trademarks, Service Marks and Trade Names

1. Trademarks and service marks may be any work, name, symbol, or device, or any combination thereof adopted and used by the University in the sale or advertising of goods or services to identify and distinguish such goods and services from those sold by others.

2. Trade names include any names used to identify Stephen F. Austin State University and its services.

3. The President or his designee shall be responsible for protection and licensure of trademarks, service marks, and trade names used by or related to Stephen F. Austin State University.

4. No licenses shall be granted to commercial entities for use of trademarks or service marks in connection with commercial services or stationery, alcoholic beverages, inherently dangerous products, products of obscene or disparaging characteristics, health related products, products classified as staple foods, meats, and natural agricultural products, and any other uses which in the opinion of the President or his designee would degrade the reputation or goodwill of the University.

#### Trade Secrets

Trade secrets may be comprised, generally, of any formula, pattern, device or of information which gives one an opportunity to obtain an advantage over competitors who do not know or use it in commercial applications. Trade secrets in which Stephen F. Austin State University maintains an interest shall be protected in accordance with the terms of sponsored research agreements or, if none exist, by any lawful means available to the University as determined by the President or his designee.

#### Disclosure of Intellectual Property

1. Each individual subject to this policy has a duty to disclose promptly, in writing, and prior to any disclosure either to the public or for commercial purposes, any intellectual property created or discovered by such individual. Disclosure shall be made to the President or his designee.
2. The President shall adopt policies and determine procedures for appropriate institutional review of such disclosures. The duty to disclose arises as soon as the individual has reason to believe, based upon his/her own knowledge or upon information supplied by others, that the intellectual property may be protectable under patent, trademark, or copyright law, or common law. Certainty about the protections to be afforded such intellectual property is not required before a disclosure should be made. Each individual subject to this policy shall execute such declarations, assignments, or other documents as may be necessary to protect the University's interest in such intellectual property.
3. Disclosure of equity ownership or management participation in a business entity that has an agreement with the University relating to research, development, licensing, or exploitation of intellectual property created or discovered by an employee shall be made in accordance with Equity Ownership and Management Participation below.

#### Equity Ownership and Management Participation

1. Ownership of any equity interest in a business entity that has an agreement with the University relating to research, development, licensing, or exploitation of intellectual property created or discovered by an employee shall be disclosed to the President or his designee. The President shall take any necessary steps to avoid injury to the University as a result of potential conflicts of interest arising out of such equity ownership.

2. No employee may serve as a director, officer, or employee of a business entity that has an agreement with the University relating to research, development, licensing, or exploitation of intellectual property in which the University has an ownership interest except upon request of, or prior approval by, the Board of Regents. Authorization to serve as a director, officer, or employee of such a business entity may be subject to one or more conditions established to avoid injury to the University as a result of potential conflicts of interest.

3. In accordance with Section 51.912 of the Texas Education Code, the names of all business entities that have an agreement with the University relating to the research, development, licensing, or application of intellectual property in which employees own an equity interest, or for which such persons serve as director, officer, or employee, shall be reported to the governor and legislature on an annual basis. The University may accept equity interests as partial or total compensation for rights conveyed in agreements with business entities relating to intellectual property owned by the University. The University may negotiate, but shall not be obligated to negotiate, an equity interest on behalf of any employee as a part of an agreement between the University and a business entity relating to intellectual property created, discovered, or developed by the employee and owned by the University.

#### Disposition of Income

1. In the disposition of any net income accruing to the University or a component from patents, trade secrets, or copyrights, first consideration shall be given to the promotion of research.
2. In the disposition of any net income accruing to the University or a component from licensure of trademarks or service marks, first consideration shall be given to creation or enhancement of scholarship programs.

#### License Agreements

1. Agreements which grant a third party the right to make, use, or sell a patented invention, invention know-how, or trade secret that has been disclosed and assigned to, or is otherwise owned by, the University shall require approval by the Board of Regents.
2. Agreements which grant a third party the right to reproduce, sell or use a copyrighted work, trademark, service mark, or trade name in which the University owns an interest shall require approval by the President.

#### Administration of Intellectual Property

1. The President or his designee shall be responsible for administering this policy. Duties encompassed by this responsibility shall include filing appropriate registration forms and supporting documents with the Copyright Office, Library of Congress, or the Patent and

Trademark Office, negotiating and drafting licenses and other royalty agreements, drafting necessary agreements for specially commissioned works, determining the applicability of this policy and appropriate law to intellectual property, and adoption of policies and procedures consistent with this policy statement and necessary for determination of ownership or protection of the University's interests in intellectual property. All referrals to the President or his designee, under this policy, shall follow established procedures and administrative channels of communication.

2. In determining the University's ownership interest in any intellectual property and measures necessary for appropriate protection or exploitation of such interests, the President or his designee may utilize assistance from designated University committees, the General Counsel, Texas Attorney General, an appropriate private law firm or attorney, or corporations established for the purpose of managing intellectual property.
3. The responsibility for commercial marketing and licensure of intellectual property, and for maintenance of appropriate fiscal records, is assigned to the President or his designee.
4. All expenses of copyright registration, patenting and other forms of protection sought by the University shall be borne by the University. If the University fails or refuses to pursue within a reasonable period any registration of copyright or patent, or other protection, for intellectual property in which an employee has an ownership or royalty interest, the employee may independently pursue registration or other protection of such interest. The individual shall be reimbursed for expenses related to such protective action if the University subsequently decides to assert and exploit the University's interests in the property.

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

**Cross Reference:** ~~None~~ *Policy D-20A, Intellectual Property Rights for Distance Education*

**Contact For Revision:** President

**Forms:** None

## Records Management

D-28

Original Implementation: February, 1975

Last Revisions: ~~April 20, 1999~~ October 23, 2003

The University shall adhere to state regulations for the management of its records. All university records, regardless of medium, created by or received by an office or employee in connection with the normal course of business are considered state records. Extra copies maintained only for reference are not subject to this Records Management Policy. Certain inactive records are retained to meet legal and fiscal requirements or future administrative needs, or because of historical significance. Department heads are responsible for the management of their department's records, including the records of all staff and faculty within their departments. In managing their records, they should adhere to the following guidelines.

1. Records of the official activities of University officers and offices are the property of the University.
2. Official records should not be destroyed without the approval of the officer in charge of the department where the records accumulate. They should be destroyed in accordance with the approved SFASU Records Retention Schedule. Records that are not listed on the Records Retention Schedule may not be destroyed without the approval of the Records Management Division of the State of Texas Library and Archives Commission. In addition, the approval of the State Auditor is required in the case of the destruction of a state records of a fiscal or financial nature.
3. When records cease to have current value for an office and when they are listed on the Records Retention Schedule as having archival value, the officer in charge shall arrange for their systematic transfer to the East Texas Research Center of the Library. For records determined to have archival value, but not listed as such on the schedule, contact the Director of the East Texas Research Center.
4. Administrative officers shall consult with the General Counsel on any question of compliance with the ~~Open Records~~ *Public Information Act*.
5. Each administrative office shall designate an individual to consult with the East Texas Research Center's Records Management Assistant with questions regarding implementation of the records management program in his/her office. The name and telephone number of this person should be given to the ETRC Records Management Assistant.
  - a. Each department is responsible for evaluating files at least once a year to ensure that records are being retained in accordance with the approved SFASU Records Retention Schedule.
  - b. Records determined to be obsolete by the department should be disposed of according to the SFASU Records Retention Schedule.
  - c. Before final disposition of records listed on the Records Retention Schedule, a Records Disposition Log must be prepared. Enter the records series title, retention period, inclusive dates of the records, and appropriate disposition method on the log. The person authorizing disposition of the records series, usually the department head, must sign the log.

- d. If a department has records not listed on the schedule, special permission from the state must be obtained to dispose of them. Records exempted from the need to be listed on the Records Retention Schedule by rules adopted by the State Library need not receive approval for destruction. The Records Retention Assistant should be contacted for specific instructions.
- e. Before final disposition of records, a Records Disposition Log must be prepared. Enter the records series title, retention period, inclusive dates of the records, and appropriate disposition method on the log. The person authorizing disposition of the records series, usually the department head, must sign the log.
- f. After the log authorizing disposition is signed by the department head, the records must be disposed of in the appropriate manner. If a records series has archival requirements as indicated by the schedule, contact the Records Retention assistant for specific instructions. If records are to be destroyed, destruction is to be accomplished by shredding if the records are confidential; by recycling or trash if the records are open; and by erasure if the records are electronic. Enter the volume and actual date of records disposition on the log.
- g. The records disposition log is maintained in the department responsible for disposing of the records until the end of the fiscal year and is then forwarded to the Records Retention Assistant at Steen Library, Box 13055.

#### Records Retention Schedule

1. The approved SFASU Records Retention Schedule establishes the official life span for records series maintained in University Offices. This schedule shall be reviewed and approved by the State Library and State Auditor as periodically required by the State Records Administrator.
2. The Records Retention Schedule is a listing of SFASU's records series; it identifies special considerations regarding a records series, such as legal, audit, or archival requirements, and the length of time a records series must be retained before final disposition. Statutory confidentiality requirements must be maintained regardless of the special identifications noted on the Records Retention Schedule.
3. The University's Records Retention Schedule, detailing the length of time records series must be retained (examples of records series include correspondence, time sheets, travel requests, expenditure vouchers, and numerous others) is available in the East Texas Research Center and in University departments upon request from the Records Retention Assistant in ETRC.
4. The Records Retention Assistant in the East Texas Research Center of the Ralph W. Steen Library is the central contact person for information about policy compliance in records retention and disposal procedures.

**Source of Authority: Subchapter L of Chapter 441 of the Texas Government Code; SFASU Records Administrator**

**Cross Reference: None**

**Contact for Revision: SFASU Records Administrator; General Counsel**

**Forms: Records Inventory Worksheet (RMD 103); Records Disposition Log; Request to Dispose of Records not listed in Records Retention Schedule (RMD 102); and Records Retention Schedule (SLR 105C)**

Original Implementation: January 19, 1988

Last Revision: ~~August 1, 2000~~ *October 23, 2003*

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**I. Introduction**

The following Rules of Procedure in Student Disciplinary Matters are adopted to ensure that the University will fulfill the requirements of procedural due process in student

disciplinary proceedings, that the Stephen F. Austin State University ~~Code of Student Conduct~~ *Student Conduct Code* and Residence Hall ~~Rules and Regulations~~ *Policies* may be secured to all students and that the disciplinary procedures within Stephen F. Austin State University shall be definite and determinable.

These Rules of Procedure shall be followed in any disciplinary proceeding commenced after the beginning of the Fall semester, ~~1997~~ *2003*, subject to the authority of the Board of Regents and the authority delegated to the President of the University to exercise jurisdiction over disciplinary matters of the University.

## **II. Definitions**

As used in these rules, the following definitions shall apply:

**Advisor:** *An individual accompanying a charged student in a hearing. The advisor may be anyone of the charged student's choice. The advisor may provide counsel to the charged student but may not participate in the hearing through questioning or making statements to any other hearing participant.*

**Appeal:** The exercise of the right of review by the charged student or the individual designated as the appellate authority of the full record of a disciplinary hearing and the sanction imposed by a hearing officer or board.

**Vice President for University Affairs:** ~~As used in these procedures, the Vice President for University Affairs is charged with the primary responsibility for the administration of these disciplinary procedures and is the appellate authority for conduct code violations. The Vice President may appoint designees to administer disciplinary procedures in addition to or in the absence of the Dean or Associate Dean of Student Development.~~

**Dean of Student Development:** ~~As used in these procedures, the Dean of Student Development is charged, as a designee of the Vice President, with the daily responsibility for the administration of these disciplinary procedures. Specifically, the Dean conducts informal hearings for alleged conduct code violations, and reviews final hearing outcomes and sanctions of the Student Conduct Committee.~~

**Associate Dean of Student Development:**

**Hall Director:** *The individual charged with the administration of a residence hall who that will initiate the proceedings to be followed when a residence hall infraction has occurred.*

**Judicial Board:** *The panel which that is authorized to conduct hearings and to make recommendations for disposition impose sanctions regarding residence hall infractions committed by residence hall occupants. The Board shall be composed of three (3) two (2) volunteer residence hall students, two (2) one (1) Resident Assistant, one (1) Assistant Hall Director and one (1) Hall Director who serves as the chairperson.*



**Judicial Officer:** As used in these procedures, ~~the Associate Dean of Student Development~~ *the Judicial Officer* is charged, as a designee of the Vice President, with the daily responsibility for the administration of these disciplinary procedures. Specifically, ~~the Associate Dean of Student Development~~ *Judicial Officer* conducts informal hearings for alleged conduct code violations, has appellate authority over residence hall violations *hearings*, ~~and presents the University's case in formal hearings before the Student Conduct Committee and serves as custodian of all Student Conduct Code disciplinary hearing records.~~

**Student:** A person having once been admitted to the University who has not completed a chosen course of study and who intends to or does continue that course of study at the University. For the purposes of these rules, student status continues whether the University's academic programs are in session or not.

**Student Conduct Code:** *University Policy D34.1, which describes the types of behaviors and situations for which students and student organizations will be held accountable.*

**Student Conduct Committee:** As used in these procedures, *the Student Conduct Committee* is that body which is authorized to conduct *formal* hearings and ~~to make recommendations of dispositions impose sanctions under these procedures for alleged Student Conduct Code violations and to serve as the appellate authority over informal hearings for alleged Student Conduct code violations.~~ The Committee shall be composed of one (1) faculty/staff member, one (1) student and one (1) faculty/staff Chair. The Chair, appointed by the President of the University, shall hold the position on a permanent basis and shall preside at all disciplinary hearings of the Committee, unless another faculty/staff member is appointed to preside by the Chair for reasons of scheduling or conflict of interest. ~~The Chair shall select the faculty/staff member of the Committee from a~~ *The initial pool of committee members shall consist of five (5) faculty/staff appointed by the President of the University and the student member of the Committee from a pool of five (5) students appointed by the President of the Student Government Association. Each Committee member shall have a vote.*

**Hall Director:** ~~The individual charged with the administration of a specific residence hall who will initiate the proceedings to be followed when a residence hall infraction has occurred.~~

**Judicial Board:** ~~The panel which is authorized to conduct hearings and to make recommendations for dispositions regarding residence hall infractions committed by residence hall occupants. The Board shall be composed of three (3) volunteer residence hall students, two (2) Resident Assistants, one (1) Assistant Hall Director and one (1) Hall Director who serves as the chairperson.~~

**Board Advisor:** ~~Professional staff member appointed by the Coordinator of Residence Life to review recommendations for dispositions regarding residence hall infractions committed by residence hall occupants.~~

**University -recognized Medium:** Any form of communication officially recognized by the University. Examples include but are not limited to postal mail, campus mail, hand delivery and email to a University account.

**Vice President for University Affairs:** As used in these procedures, the Vice President for University Affairs is charged with the primary responsibility for the administration of these disciplinary procedures and is the appellate authority for ~~conduct code violations~~ Student Conduct Committee hearings. The Vice President may appoint designees to administer disciplinary procedures in addition to or in the absence of the ~~Dean or Associate Dean of Student Development~~ Judicial Officer. These designees shall follow the same procedures as outlined for the Chief Judicial Officer.

### **III. Rights of Charged Students in Disciplinary Proceedings**

Any student charged with violating Residence Hall Policy or the Student Conduct Code will be notified through a University-recognized medium to contact the appropriate hearing official for a hearing on the alleged misconduct. The notice will include the date of the alleged violation and the specific provision of the Policy or Code in question. The rights outlined below will be accorded to any student in a formal or informal hearing for an alleged violation of the Student Conduct Code and for formal hearings for an alleged violation of Residence Hall Policy. A student is not afforded the right of an advisor in an informal hearing for an alleged infraction of Residence Hall Policy due to the nature of these types of offenses and the short timeframe allowed for a case to be resolved.

- a. to be present at the hearing;
- b. to have an advisor of the charged student's choice appear with the student and to consult with such advisor during the hearing;
- c. to hear or examine evidence presented against the charged student;
- d. to make any statement in mitigation or explanation of the conduct in question;
- e. to be informed in writing of the finding and any sanction imposed;
- f. to appeal the finding and sanction to the proper authority;
- g. to waive hearing deadlines as outlined in these procedures;
- h. to have and cross-examine witnesses.

### **IV. Rights of Victims in Disciplinary Proceedings**

Some actions that violate University rules involve victimization of one or more students ~~or university employees by another~~ a student(s). This behavior may include physical violence and other acts that endanger the safety of others in the University community. If a ~~student~~ person has filed a complaint and is identified as a victim of a criminal offense resulting in bodily injury, that ~~student~~ person is entitled to certain rights during the disciplinary process.

*If a complaint is filed with the Judicial Officer, it is important to remember that the accused student is being charged with violating a University rule or regulation; therefore, the University is ultimately responsible for initiating charges, imposing sanctions if the charged student chooses to admit the violation, implementing the hearing process, and determining sanctions following a finding of guilt. Although a victim's input may be sought during the disciplinary process, the ultimate disposition of the case rests with the University. If a victim withdraws the complaint during the course of the disciplinary proceeding, the University reserves the right to proceed with the case on the basis of evidence other than the testimony of the victim.*

*During the course of a disciplinary proceeding, victims of an alleged criminal offense resulting in bodily injury have the following rights:*

- a. to meet with the judicial officer to discuss the disciplinary process.*
- b. to submit a written account of the alleged incident.*
- c. to be advised of the date, time and location of the disciplinary hearing, and to request rescheduling for good cause.*
- d. to be present at the hearing and to be accompanied by an advisor of the victim's choosing during the hearing process, although the advisor will not be permitted to speak for the victim during the hearing.*
- e. to testify as a witness during the hearing. All alleged victims of any violation involving sexual offenses or assault have the option to use an intercom or other remote audio or video device, so that they may testify and respond to questions without face-to-face contact with the alleged perpetrator.*
- f. to decline to testify, with knowledge that such action could result in dismissal of the University's charges for lack of evidence.*
- g. to make an impact statement, either in person or in writing, to the hearing officer or Student Conduct Committee for consideration during the sanctioning phase.*

#### ***V. Evidence and Burden of Proof***

*In all disciplinary proceedings, the University bears the burden of proof by a preponderance of the evidence. Preponderance of the evidence means proof which leads a reasonable person to find that the fact in issue is more probable than not. It is evidence that is of greater weight or more convincing than the evidence offered in opposition to it. The rules of evidence do not apply in any hearing nor are the proceedings to be conducted as judicial trials; however, care shall be taken to comply with the intent of the procedural safeguards provided by these rules. All hearings are closed to the public.*

#### ***VI. Confidentiality Standards***

*All hearings and records pertaining to such will be considered educational records and will be treated as designated by current law. This means there will be no disclosure of file contents outside of the University without the written permission of the student unless a legal exception exists. Disclosure within the University will be limited to those employees having legitimate need of the information to conduct University business.*

*Disclosure to victims of violent crimes will be handled according to current law. Hearings will be closed to the public.*

## **VII. Penalties**

**Admonition** is a warning.

**Conduct Probation** is for a specified period of time and requires that a second offense will result in disciplinary probation or suspension.

**Disciplinary Probation** is for a specified period of time and may carry with it other conditions to be met (e.g. restriction of participation in extracurricular activities, holding student office, pledging or joining campus organizations).

**Special Action** is a sanction designed to enhance the educational intent of the disciplinary process. Examples of sanctions include removal from University Housing, payment of damages, extracurricular activity restrictions, community service, educational sanctions, counseling referrals, *removal from any class or program, or restrictions on enrollment in any class or program.*

**Suspension** is a bar from attending the University for a specific period of time and carries with it the following conditions:

- a. ~~a.~~—The charged student must remain off the campus during the period of suspension, except when summoned by an administrator of the University or when an appointment with an official has been arranged in advance.
- b. ~~b.~~—A student under suspension may not live or board in University facilities.

**Expulsion** is a permanent bar from attending the University *whereby the student is not eligible for readmission to this University.* ~~Disciplinary expulsion will be noted on the student's academic transcript.~~ *An expelled student's status will also carry the following conditions:*

- a. *The expelled student must remain off the campus, except when summoned by an administrator of the University or when an appointment with an official has been arranged in advance.*
- b. *A student under expulsion may not live or board in University facilities.*
- ~~a.~~—

**Debarment** is equivalent to suspension from the University applied to persons not currently registered at the time the penalty is imposed.

### ***Interim Suspension***

*The ~~Dean/Associate Dean of Student Development~~ Judicial Officer may, with the approval of the Vice President of University Affairs, suspend a student for an interim period pending disciplinary proceedings when there is evidence that the continued presence of the student on the University campus poses a substantial threat of harm or bodily injury to herself/himself or to others, to property, or to the stability and continuance of normal University functions. The ~~Dean/Associate Dean~~ Judicial Officer may provide for the interim suspension to become immediately effective without prior notice to the student. However, ~~Dean/Associate Dean~~ Judicial Officer shall provide notice to the student at the first reasonable opportunity.*

*The ~~Dean/Associate Dean~~ Judicial Officer shall inform the student that he/she is entitled to a hearing to be held within five (5) University business days from the effective date of the interim suspension. If the student desires, a preliminary hearing, either formal or informal, shall then be held on the following issues only:*

- a. the reliability of the information concerning the student's conduct, including the matter of his/her identity;*
- b. whether the conduct and surrounding circumstances reasonably indicate that the continued presence of the student on the University campus poses a substantial threat of harm or bodily injury to himself/herself or to others, to property, or to the stability and continuance of normal University functions.*

*If the Judicial Officer or Committee finds the information concerning the charged student's conduct is unreliable or that the charged student has been misidentified, charges may be dismissed. If the Judicial Officer or Committee finds that allowing the charged student to remain on campus poses no threat or disruption, the student may be allowed to remain on campus pending the completion of the hearing process.*

### ***~~Procedures (Residence Hall Violations):~~VIII. Residence Hall Policy Violation Procedures***

*1. —The Hall Director shall receive the report of any alleged infraction of Residence Hall ~~Rules and Regulations~~Policy and the ~~Code of Student Conduct~~Student Conduct Code that occurs in a residence hall. Infractions that constitute ~~Code of Student Conduct~~Student Conduct Code violations shall be forwarded to the ~~Dean of Student Development~~Judicial Officer.*

*In the event of multiple infractions involving both Residence Hall ~~Rules and Regulations~~Policy and the ~~Code of Student Conduct~~Student Conduct Code, the higher level infraction (~~Code of Student Conduct~~) shall take precedence. ~~each infraction shall be~~*

heard by the appropriate hearing officer. In all other Residence Hall Policy violation cases, the Hall Director shall notify, in writing through a University-recognized medium, the charged student of a hearing to adjudicate the alleged misconduct. Failure by the charged student to have his/her current local address on record with the University or to access notifications transmitted through a University-recognized medium shall not invalidate the notice. The notice shall include the date of the alleged violation and the specific provision of the Residence Hall Policy in question. The Hall hearing shall be held within five (5) working days of the infraction.

2.——At the initial meeting with the charged student, the Hall Director will provide the charged student a copy of the incident-discipline report relative to the case which case, which will include the names(s) of the individual(s) making the charge and potential witnesses. The charged student will also be presented with the option of having the Hall Director informally resolve the incident or having the case heard before the Residence Hall Judicial Board. The Hall Director shall also have the right to refer the case to the Residence Hall Judicial Board.

#### ***Informal Disposition (Residence Hall Violations): A. Informal Disposition for Residence Hall Policy Violations***

##### ***1. Informal Hearing Procedures for Residence Hall Policy Violations***

3.——If the charged student selects an informal hearing, the incident-discipline report shall serve as evidence of the infraction. The Hall Director shall serve as the official initiating the charge of misconduct, serve as hearing officer, make a determination and impose any sanction. In the event the charged student does not appear for the initial hearing with the Hall Director, the charged student shall be notified again of a new hearing within two (2) working days. Should the charged student fail again to appear for the newly scheduled hearing, the Hall Director shall refer the case to the Dean/Associate Dean of Student Development/Residence Hall Judicial Board for a hearing on the original charge and an additional charge of for violation of the Code of Student Conduct for failure to follow comply with the directions of a University official.

##### ***2. Right of Appeal for an Informal Hearing of Residence Hall Policy Violations***

The charged student may appeal the decision of the Hall Director to the Associate Dean of Student Development/Judicial Officer who has final authority in the matter. The appeal must be filed within five (5) three (3) working days of the Hall Director's decision. Grounds for an appeal are limited to procedural irregularities. The signed and dated written appeal must be filed in the Judicial Officer's office prior to 5 p.m. the day of the deadline and must contain the charged student's University identification number, date of the disciplinary action being appealed, the nature of the charges, the grounds which merit an appeal, and any extenuating circumstances the charged student wishes to have considered. The Judicial Officer shall review the full record of the case and the appeal documents and may affirm, reverse or remand the case for further proceedings and shall

notify, through a University-recognized medium, the charged student and the Residence Life- Center of the decision on the appeal.

### **3. Status During Appeal for an Informal Hearing of Residence Hall Policy Violations**

When an appeal is filed within the required time, the terms of the sanction are not enforced pending final determination of the appeal. In the event the sanction is upheld, any final disciplinary action imposed shall be effective from the date of the final appellate authority decision.

### **4. Record of Hearing for an Informal Hearing of Residence Hall Policy Violations**

The hearing record shall be maintained by the Residence Life Center according to the University's retention schedule. For the purpose of appeal, the record shall be accessible at reasonable times and places to both the University and the student charged. The record may be stored electronically and shall include the content of the originating report of misconduct, the findings of and sanctions imposed by the Hall Director and any additional documentation generated through an appeal.

### **~~Formal Disposition (Residence Hall Violations)~~:B. Formal Disposition for Residence Hall Policy Violations**

#### **1. Formal Hearing Procedures for Residence Hall Policy Violations**

4.—a. If the charged student elects to have the case heard before the Judicial Board or is referred by the Hall Director, the Chair of the Judicial Board shall notify the charged student of the hearing date to be scheduled within ~~ten (10)~~five (5) working days of the election or referral. ~~The proceedings of the Judicial Board are not to be conducted as judicial trials, but care shall be taken to comply with the intent of the procedural safeguards provided by these rules. Judicial Board hearings are closed.~~

5.—b. The Judicial Board Chair shall provide ~~written~~ notice of the hearing by ~~personal delivery of the notice through the management system of the residence hall~~through a University-recognized medium. Failure by the charged student to have his/her current local address on record with the University or to access notifications transmitted through a University-recognized medium shall not invalidate the notice. The ~~written~~ notice shall set forth the date, time, and place of the alleged infraction, the conduct in question, and the date, time and place of the hearing before the Judicial Board. The charged student shall also be informed that an advisor may accompany the charged student to the hearing. If the charged student fails to appear at the scheduled time, the charged student shall be notified of a new hearing date *within two (2) working days*. ~~Should~~ If the charged student fails to appear for the newly -scheduled hearing, the case shall be referred to the ~~Dean of Student Development~~Judicial Officer for a hearing on the original charge and an additional charge of violation of the ~~Code of Student Conduct~~Student Conduct Code for failure to follow-comply with the directions of a



University official. *If the charged student has been referred to the Judicial Board because of failure to appear for informal Hall Director hearings, the charged student will receive no second notice and the hearing will proceed without the student being present. The findings of and any sanction imposed by the Judicial Board will be provided to the student through a University-recognized medium.*

6.—c. The Judicial Board Chair shall preside at the hearing, ascertain the presence or absence of the student charged with misconduct, read the notice of the hearing and the charges, and establish the presence of any advisor of the charged student. The charged student may make a statement to the Board at this time. Witnesses for either the University or the charged student may be questioned by both the Board members and the charged student. The student's advisor may advise the charged student, but may not participate in the hearing by questioning witnesses or addressing the Board.

7.—d. At the conclusion of the questioning, the Board shall ~~adjourn into closed session to examine the evidence that has been presented and determine if the charged student is or is not guilty of the infraction then make its findings and determinations in executive session out of the presence of the charged student.~~ The Board shall promptly consider the case on its merits, make its findings and ~~transmit its recommendation(s) to the Board Advisor~~ inform the charged student and the student's Hall Director within two (2) working days of the findings and any sanction to be imposed. ~~The Board Advisor shall review the sanction recommended by the Board, reverse, affirm or modify the recommendation, and notify the charged student, within five (5) working days of receiving the Board's recommendation(s), of the sanction to be imposed for the infraction.~~

## **2. Right of Appeal for a Formal Hearing of Residence Hall Policy Violations**

The decision of the ~~Board Advisor, Judicial Board~~ may be appealed in writing within ~~five (5) three (3) working days of the notice from the Board Advisor,~~ to the Associate Dean of Student Development/Judicial Officer who has final authority over the matter. *Grounds for an appeal are limited to procedural irregularities. The signed and dated written appeal must be filed in the Judicial Officer's office prior to 5 p.m. on the day of the deadline and must contain the charged student's University identification number, date of the disciplinary action being appealed, the nature of the charges, the grounds which merit an appeal, and any extenuating circumstances the charged student wishes to have considered. The Judicial Officer shall review the full record of the case and the appeal documents and may affirm, reverse or remand the case for further proceedings and shall notify, through a University-recognized medium, the charged student and the Hall Director of the decision on the appeal.*

## **3. Status During Appeal for a Formal Hearing of Residence Hall Policy Violations**

*When an appeal is filed within the required time, the terms of the sanction are not enforced pending final determination of the appeal. In the event the sanction is upheld,*



any final disciplinary action imposed shall be effective from the date of the final appellate authority decision.

#### **4. Record of Hearing for a Formal Hearing of Residence Hall Policy Violations**

*The hearing record shall be maintained by the Residence Life Center according to the University's retention schedule. For the purpose of appeal, the record shall be accessible at reasonable times and places to both the University and the student charged. The record may be stored electronically and shall include the content of the originating report of misconduct, the findings of and sanctions imposed by the Residence Hall Judicial Board and any additional documentation generated through an appeal.*

### **~~Procedures (Code of Student Conduct Violations):~~ IX.. *Student Conduct Code Violation Procedures***

1.——~~The Dean/Associate Dean of Student Development~~ *Judicial Officer* shall receive the report of any *alleged* violation of the ~~Code of Student Conduct~~ *Student Conduct Code*. *Reports of alleged violations may be received from any person having knowledge of the incident. The Dean/Associate Dean Judicial Officer shall notify, in writing through a University-recognized medium, the charged student of the necessity of a hearing to adjudicate the alleged misconduct violation. Failure by the charged student to have his/her current local address on record with the University or to access notifications transmitted through a University-recognized medium shall not invalidate the notice. The charged student shall contact the Office of Student Development the Judicial Officer for concerning the scheduling of an appointment within seven (7)-five (5) working days. The notice shall include the date of the alleged violation and the specific provision of the Student Conduct Code in question. The charged student shall be informed that an advisor may be present to provide counsel to the charged student.*

2.——At the initial meeting with the charged student, the ~~Dean/Associate Dean~~ *Judicial Officer* will provide the charged student a copy of the incident- report which will include the name(s) of the individual(s) making the charge and potential witnesses. The charged student will also be presented with the option of having the ~~Dean/Associate Dean~~ *Judicial Officer* informally resolve the incident or having the case heard before the Student Conduct Committee. The ~~Dean/Associate Dean~~ *Judicial Officer* shall also have the right to refer the case to the Student Conduct Committee. *Cases where expulsion could be considered a sanction will automatically be referred to Student Conduct Committee.*

### **~~Informal Disposition (Code of Student Conduct):~~ A. *Informal Disposition for Student Conduct Code Violations***

#### **1. *Informal Hearing Procedures for Student Conduct Code Violations***

3.——If the charged student selects an informal ~~Dean's~~ hearing, the incident report shall serve as evidence of the violation. The ~~Dean/Associate Dean~~ *Judicial Officer* shall also serve as the official who initiates the charge of misconduct, *serve as hearing officer, make a determination and impose any sanction.* The charged student's advisor may advise the charged student but may not participate in the hearing by asking questions or addressing the ~~Dean/Associate Dean~~ *Judicial Officer*. In the event the charged student does not appear for the initial hearing scheduled with the ~~Dean/Associate Dean~~ *Judicial Officer*, the charged student shall be sent a second notice *within two (2) working days*. If the charged student does not respond to the second notice, the charged student may be suspended from the University and/or have a bar placed on all University files and accounts preventing the conduct of University business until the charged student appears before the ~~Dean~~ *Judicial Officer* for disposition of the case.

## **2. Right of Appeal for an Informal Hearing of Student Conduct Code Violations**

The charged student may appeal the decision of the ~~Dean/Associate Dean~~ *Judicial Officer* to the ~~Vice President for University Affairs~~ *Student Conduct Committee* who has final authority in the matter, within five (5) working days of the ~~Dean/Associate Dean~~ *Judicial Officer's* decision. *Grounds for an appeal are limited to the following: procedural irregularities severe enough to have denied the student a fair hearing; lack of clear and convincing evidence to support the hearing outcome; new information pertinent to the case that was unknown to the student at the time of the hearing; or an excessive or inappropriate sanction. The signed and dated written appeal must be filed in the Student Conduct Committee Chair's office prior to 5 p.m. the day of the deadline and must contain the charged student's University identification number, date of the disciplinary action being appealed, the nature of the charges, the grounds which merit an appeal, and any extenuating circumstances the charged student wishes to have considered. Upon filing, the Chair will provide the charged student with a list of the faculty/ staff and student pool members of the Student Conduct Committee and allow the charged student to make one (1) strike of any one (1) member of the ten (10) pool members. The Committee shall review the full record of the case and the appeal documents and may affirm, reverse or remand the case for further proceedings and shall notify, through a University-recognized medium, the charged student and the Judicial Officer of the decision on the appeal.*

## **3. Status During Appeal for an Informal Hearing of Student Conduct Code Violations**

*In cases of suspension, ~~dismissal~~ or expulsion where an appeal is filed within the required time, a charged student may petition the Student Conduct Committee Chair in writing for permission to attend classes pending final determination of the appeal. The Chair may permit a charged student to continue to attend classes under such conditions as may be designated pending completion of appellate procedures provided such continuance will not seriously disrupt the University or constitute a danger to the health, safety or welfare of the University community. In cases of other sanctions where an appeal is filed within the required time, the terms of the sanction are not enforced pending final determination of the appeal. In the event a sanction is upheld, any final*

*disciplinary action imposed shall be effective from the date of the final appellate authority decision.*

#### **4. Record of Hearing for an Informal Hearing of Student Conduct Code Violations**

*The hearing record shall be maintained by the Office of the Judicial Officer according to the University's retention schedule. For the purpose of appeal, the record shall be accessible at reasonable times and places to both the University and the student charge. The record may be stored electronically and shall include the content of the originating report of misconduct, the findings of and sanctions imposed by the Chief Hearing Officer and any additional documentation generated through an appeal.*

#### **~~Formal Disposition (Code of Student Conduct):~~B. Formal Disposition for Student Conduct Code Violations**

##### **1. Formal Hearing Procedures for Student Conduct Code Violations**

4.—*a. If the charged student elects to have the case heard before the Student Conduct Committee, or is referred by the Judicial Officer, the ~~Dean/Associate Dean~~ Judicial Officer will immediately provide the charged student with a list of the faculty/ staff and student pool members of the Student Conduct Committee and allow the charged student to make one (1) strike of any one (1) member of the ten (10) pool members. This information will be forwarded to the Chair of the Committee, who shall notify the charged student of the hearing date to be scheduled within ten (10) working days of the election. ~~The proceedings of the Conduct Committee are not to be conducted as judicial trials, but care shall be taken to comply with the intent of the procedural safeguards provided by these rules.~~*

5.—*b. The Student Conduct Committee Chair shall provide ~~written~~ notice of the hearing by ~~certified mail~~ transmitted either through a University-recognized medium or personal delivery to the charged student. The notice shall set forth the date, time and place of the alleged violation, the conduct in question, and the date, time and place of the hearing before the Student Conduct Committee. The charged student shall also be informed that an adviser may accompany the charged student to the hearing. ~~Notice by certified mail may be addressed to the last address currently on record with the University.~~ Failure by the charged student to have his/her current local address on record with the University or to access notifications transmitted through a University-recognized medium shall not invalidate the notice. The notice shall be given at least ~~seven~~ (7) ~~five~~ (5) consecutive calendar days prior to the hearing, unless a shorter or longer time is fixed by the Chair for good cause. If the charged student fails to appear at the scheduled time, the charged student shall be informed of a new hearing date. Any request for continuance shall be made in writing to the Chair, who shall have the authority to continue the hearing if it is determined the request is timely and for good cause. *If a new hearing must be set for either the failure of the charged student to show or for a continuance, The the Chair shall notify the ~~Associate Dean of Student~~**

~~Development~~*Judicial Officer* and the charged student of the new date for the hearing. Failure to appear for the newly -scheduled hearing will result in the case being referred back to the ~~Dean of Student Development~~*Judicial Officer* who may then suspend the charged student from the University or have a bar placed on all University files and accounts preventing the conduct of University business until the charged student appears for disposition of the case in compliance with these rules.

6.——c. The Student Conduct Committee Chair, *or designated temporary Chair*, shall preside at the hearing, ascertain the presence or absence of the student charged with misconduct, read the notice of the hearing and the charges and verify the receipt of notices of charges by the charged student, report any continuances requested or granted, establish the presence of any adviser or counselor of the charged student and call the attention of both the charged student and any adviser to any special or extraordinary procedures to be employed during the hearing. ~~The hearing shall be closed to the public.~~

7.——d. The ~~Associate Dean of Student Development~~*Judicial Officer* and the charged student shall make opening remarks outlining the general nature of the case and the types of evidence to be presented. The charged student's adviser may advise the charged student, but may not participate in the hearing by questioning witnesses or addressing the committee.

8.——e. The parties may summon and cross-examine witnesses, produce evidence, address the Committee, and inspect and copy the Committee's findings and determinations. Each party shall have the right to testify. However, the charged student may not be required to testify. Any person testifying shall be subject to cross-examination. The charged student shall be afforded an opportunity to obtain necessary witnesses and documentary or other evidence, and the University shall assist in securing the cooperation of witnesses and make available any necessary documents and other evidence within its control.

## **2. Scope of the Committee**

9.——The Student Conduct Committee may:

a. a.——permit a stipulation of facts by the ~~Associate Dean of Student Development~~*Judicial Officer* and the charged student involved;

b. b.——permit the incorporation in the record by a reference to any document, affidavit or other thing produced and desired to be incorporated in the record by the University or the charged student;

c. e.——question witnesses or other evidence introduced by either the University or the charged student;

- d. ~~d.~~—hear from the Associate Dean of Student Development *Judicial Officer* about dispositions made in similar cases and any dispositions offered to the charged student appearing before the Committee;
- e. ~~e.~~—call additional witnesses or require additional investigation;
- f. ~~f.~~—dismiss any action or permit informal disposition upon request of the charged student;
- g. ~~g.~~—dismiss any person from the hearing who interferes with or obstructs the hearing or fails to abide by the rulings of the Chair of the Committee.
- h. In cases involving more than one student, which arise out of the same transaction or occurrence, the Committee may hear the cases together, but shall make separate findings and determinations for each charged student.

10. ~~Rights of the Student:~~

~~In addition to the rights granted to both parties above, the student has the following rights:~~

- a. ~~to be present at the hearing;~~
- b. ~~to have an adviser or counselor of the charged student's choice appear with the student and to consult with such adviser or counselor during the hearing;~~
- e. ~~to hear or examine evidence presented to the Committee against the charged student;~~
- d. ~~to make any statement to the Committee in mitigation or explanation of the conduct in question;~~
- e. ~~to be informed in writing of the findings of the Student Conduct Committee and the discipline imposed by the Dean of Student Development;~~
- f. ~~to appeal to the Vice President for University Affairs as provided by these rules.~~

11. ~~Rights of the Victims in Criminal Offenses:~~

~~Some actions that violate the University rules involve victimization of one or more students by another student(s). This behavior may include physical violence and other acts that endanger the safety of others in the University community. If a student has filed a complaint and is identified as a victim of a criminal offense resulting in bodily injury, that student is entitled to certain rights during the disciplinary process.~~

If a complaint is filed with the Dean of Student Development, it is important to remember that the accused student is being charged with violating a University rule or regulation; therefore, the University is ultimately responsible for initiating charges, imposing sanctions if the charged student chooses to admit the violation, implementing the hearing process, and determining sanctions following a finding of guilt. Although a victim's input may be sought during the disciplinary process, the ultimate disposition of the case rests with the University. If a victim withdraws the complaint during the course of the disciplinary proceeding, the University reserves the right to proceed with the case on the basis of evidence other than the testimony of the victim.

During the course of a disciplinary proceeding, victims have the following rights:

- a. — To meet with the hearing officer to discuss the disciplinary process.
- b. — To submit a written account of the alleged incident.
- c. — To be advised of the date, time and location of the disciplinary hearing, and to request rescheduling for good cause.
- d. — To be present at the hearing and to be accompanied by an advisor of the victim's choosing during the hearing process, although the advisor will not be permitted to speak for the victim during the hearing.
- e. — To testify as a witness during the hearing. All alleged victims of any violation involving sexual offenses or assault have the option to use an intercom or other remote audio or video device, so that they may testify and respond to questions without face-to-face contact with the alleged perpetrator.
- f. — To decline to testify, with knowledge that such action could result in dismissal of the University's charges for lack of evidence.
- g. — To make an impact statement, either in person or in writing, to the hearing officer or Conduct Committee for consideration during the sanctioning phase.

~~12. — Determination by Committee:~~ **3. Determinations and Official Report of the Student Conduct Committee**

The Student Conduct Committee shall then make its findings and determinations in executive session, out of the presence of the Associate Dean of Student Development/Judicial Officer and the charged student. Separate findings are to be made as to the conduct of the charged student and the recommended discipline/sanction, if any, to be imposed. No recommended discipline/sanction shall be imposed on the charged student unless a majority of the Committee present is reasonably convinced by the evidence that the charged student has committed the violation charged and should therefore be disciplined/sanctioned by the University. The University bears the burden of

~~proof by a preponderance of the evidence. Preponderance of the evidence means proof which leads a reasonable person to find that the fact in issue is more probable than not. It is evidence that is of greater weight or more convincing than the evidence offered in opposition to it. The rules of evidence do not apply to the hearing. The Committee shall promptly consider the case on its merits and inform the charged student and the Judicial Officer within two (2) working days of the findings and any sanctions to be imposed~~

~~13.——Official Report of Findings and Determination:~~

~~The Committee shall promptly consider the case on its merits, make its findings, and transmit its recommendation(s) to the Dean of Student Development within two (2) working days. The Dean shall review the findings and the sanctions recommended by the Committee, reverse, affirm or modify the recommendation(s) and inform the charged student within seven (7) working days of receiving the Committee's recommendations, of the decision and sanction, if any, to be imposed.~~

~~14.——4. Other Procedural Questions for a Formal Hearing of Student Conduct Code Violations:~~

Procedural questions which arise during the hearing not covered by these general rules shall be determined by the Chair, whose ruling shall be final unless the Chair shall present the question to the Committee at the request of a member of the Committee, in which event the ruling of the Committee by majority vote shall be final.

~~15.——5. General Rules of Decorum for a Formal Hearing of Student Conduct Code Violations:~~

All requests to address the Committee shall be addressed to the Chair. The Chair shall rule on all requests and may consult with the Committee's legal counselor prior to any ruling. The Chair's ruling shall be final and all participants shall abide thereby, unless the Chairperson shall present the question to the Committee, in which event the ruling of the Committee by majority vote shall be final.

The Committee's sessions shall be conducted in a manner consistent with the ascertainment of the truth and the orderly process of justice. Each person in attendance shall therefore exhibit proper dignity, courtesy, and respect.

~~16.——Record of Hearing:~~

~~A taped record of the hearing shall be maintained by the University. The hearing record shall be maintained and kept as long as the discipline imposed shall be in force, or for five (5) years, whichever, is shorter. The notice, exhibits, hearing record, the findings and recommendations of the Committee and the determination of the Dean of Student Development shall become the Record of the case and shall be filed in the Office of the Dean of Student Development, and, for the purpose of appeal, be accessible at reasonable times and places to both the University and the student charged.~~



**17.——6. Right of Appeal for a Formal Hearing of Student Conduct Code Violations:**

A charged student may appeal the decision of the ~~Dean of Student Development~~ *Student Conduct Committee* to the Vice President for University Affairs who has final authority in the matter. The written appeal must be filed in the Vice President's office within five (5) working days of the ~~Dean's Committee's~~ notice. *Grounds for an appeal are limited to the following: procedural irregularities severe enough to have denied the student a fair hearing; lack of clear and convincing evidence to support the hearing outcome; new information pertinent to the case that was unknown to the student at the time of the hearing; or an excessive or inappropriate sanction. The signed and dated written appeal must be filed in the Vice President for University Affairs Office prior to 5 p.m. on the day of the deadline and must contain the charged student's University identification number, date of the disciplinary action being appealed, the nature of the charges, the grounds which merit an appeal, and any extenuating circumstances the charged student wishes to have considered.* The Vice President shall review the full record of the case and the appeal documents and may affirm, reverse or remand the case for further proceedings and shall notify the charged student, *the Conduct Committee Chair*, and the ~~Dean of Student Development~~ *Judicial Officer* of the decision on the appeal.

**18.——7. Status During Appeal for a Formal Hearing of Student Conduct code Violations:**

In cases of suspension where an appeal is filed within the required time, a charged student may petition the Vice President for University Affairs in writing for permission to attend classes pending final determination of the appeal. The Vice President for University Affairs may permit a charged student to continue in school under such conditions as may be designated pending completion of appellate procedures provided such continuance will not seriously disrupt the University or constitute a danger to the health, safety or welfare of the University community. ~~In such event, however, any final disciplinary action imposed shall be effective from the date of the action of the Dean of Student Development.~~ In cases of other sanctions, ~~both Residence Life Rules and Regulations and Student Code of Conduct~~, where an appeal is filed within the required time, the terms of the sanction are not enforced pending final determination of the appeal. In the event the sanction is upheld, any final disciplinary action imposed shall be effective from the date of the final appellate authority decision.

**8. Record of Hearing for a Formal Hearing of Student Conduct Code Violations**

*The University shall maintain a video or audio record of the hearing before the Student Conduct Committee. The hearing record shall be maintained according to the University's retention schedule. The notice, exhibits, video or audio record, the findings and sanctions of the Committee shall become the hearing record and shall be filed in the Office of the Judicial Officer. The hearing record may be stored electronically in part or*



*in whole. For the purpose of appeal, the record shall be accessible at reasonable times and places to both the University and the student charged.*

**~~19. Interim Suspension~~**

~~The Dean/Associate Dean of Student Development may suspend a student for an interim period pending disciplinary proceedings when there is evidence that the continued presence of the student on the University campus poses a substantial threat of harm or bodily injury to herself/himself or to others, to property, or to the stability and continuance of normal University functions. The Dean/Associate Dean may provide for the interim suspension to become immediately effective without prior notice to the student. However, the Dean/Associate Dean shall provide notice to the student at the first reasonable opportunity.~~

~~The Dean/Associate Dean shall inform the student that he/she is entitled to a hearing to be held within five (5) University business days from the effective date of the interim suspension. If the student desires, a hearing shall then be held on the following issues only:~~

~~a. the reliability of the information concerning the student's conduct, including the matter of his/her identity;~~

~~b. whether the conduct and surrounding circumstances reasonably indicate that the continued presence of the student on the University campus poses a substantial threat of harm or bodily injury to himself/herself or to others, to property, or to the stability and continuance of normal University functions.~~

**Source of Authority:** Board of Regents, President, Vice President for University Affairs

**Cross Reference:** Stephen F. Austin State University Web Pages

**Contact for Revision:** ~~Dean of Student Development~~*Judicial Officer*

**Forms:** None

## Student Conduct Code

D-34.1

Original Implementation: January 1998

Last Revision: ~~July 15, 2003~~ October 23, 2003

A student enrolling in the University assumes an obligation to conduct him/herself in a manner compatible with the University's function as an educational institution. To fulfill its functions of imparting and gaining knowledge, the University retains the power to maintain order within the University and to exclude those who are disruptive of the educational process. This code shall apply to any and all land owned or leased by the University as well as to any location where a student is engaged in an officially recognized University activity. Examples of such coverage include, but are not limited to University teams traveling to events off campus, classes attending field trips, distance learning and satellite locations, clinical settings necessary for academic programs, experimental stations, farms, Pineywoods Conservation Center and the University Observatory.

Misconduct for which students and student organizations are subject to discipline falls into the categories below. Where such conduct also violates federal, state or local law, the student or student organization may be brought before the appropriate criminal and/or civil magistrate for adjudication while at the same time be subject to the disciplinary proceedings of the University. University proceedings may precede any actions taken by off-campus authorities. The determinations and any sanctions resulting from University disciplinary proceedings will be independent of any off-campus adjudication. The following list of possible acts is either prohibited by federal, state, or municipal law or by University rules or regulations.

1. Hazing (referenced in "~~Conduct Code~~" of the Policy and Procedures and General Regulations section of the SFA Web pages, D-16.)

~~Stephen F. Austin State University is unequivocally opposed to any activities, on or off campus, by individuals or organizations which endanger the mental or physical health or safety of a currently enrolled or prospective student for the purpose of pledging, being initiated into, affiliating with or maintaining membership in any organization.~~

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

~~Hazing is defined as:~~ *Hazing acts include but are not limited to:*

- a. any type of physical brutality such as whipping, beating, striking, branding, electronic shocking, ~~etc.~~ *placing a harmful substance on the body, or similar activity;*

b. 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;

c. any activity involving consumption of a food, liquid, alcoholic beverage, *liquor*, drug or substance which subjects the student to unreasonable risk of harm *or that adversely affects the mental health of the student*;

d. any activity that intimidates or threatens the student with ostracism, that 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 *registered at the institution, or that may reasonably be expected to cause a student to leave the organization or the institution rather than to submit to the acts described in this policy*;

e. any activity that induces, causes, or requires the student to perform a duty or task, which involves a violation of the Penal Code.

Any organization and/or any individual involved in any hazing activity will be subject to both University disciplinary sanctions and criminal prosecution. An offense is committed by (a) engaging in hazing; (b) soliciting, encouraging, aiding or directing another engaging in hazing; (c) intentionally, *recklessly*, or knowingly permitting hazing to occur, or (d) having first-hand knowledge that a specific hazing incident *is being planned or has occurred* and failing to report said knowledge in writing to the Judicial Officer.

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~~ Individual penalties relative to criminal prosecution range from a fine of ~~\$1,000~~ 2,000 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. Further, an organization may be penalized with a fine up to \$10,000 or double the expenses due to the injury, *damages or loss*.

Penalties relative to University sanctions range from probation to ~~suspension~~ expulsion for any individual committing an offense. Student organizations committing an offense may be placed on University probation and are subject to withdrawal of University recognition.

#### Sanctioned Student Organizations

In compliance with state law, any student organization found guilty of hazing through regular University disciplinary procedures will be listed for three (3) years in any University publication containing the hazing policy. The date in parenthesis following an organization's name indicates the last year the organization's name will be included. Publication of a sanctioned organization begins as soon as possible with the next printing cycle of the particular University publication.

Delta Sigma Theta (December 2004)

Kappa Alpha Order (May 2005)

Zeta Phi Beta (December 2005)

2.      Illegal Drugs

It is the policy of Stephen F. Austin State University that any unlawful manufacture, possession, use 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. Therefore, in accordance with state law and University policy, any student who is determined, through the regular disciplinary procedures of the University, to have violated this policy will be suspended from the University for no more than two years and no less than the remainder of the current semester. *At the discretion of the Vice President for University Affairs, a student suspended under this policy may, under certain conditions, remain enrolled at the University on disciplinary probation for the remainder of the current or subsequent semester, pending in position of a suspension at a later date.*

3.      Committing any criminal offense or other unlawful act under any federal, state, or municipal law, including, but not limited to: a. arson; b. robbery; c. burglary; d. theft; e. disruptive activity; f. forgery; g. gambling; h. disorderly conduct; i. trespassing; j. possession of stolen property; k. unlawful use, possession, or storage of firearms or unlawful weapons on University property; l. entering or remaining on campus after withdrawal of consent to remain on campus; m. refusing to leave a University building closed to the public; n. possession of drug paraphernalia.

4.      Unauthorized use, possession, or storage of explosives or ammunition on University property

5.      Causing physical or psychological harm, or causing reasonable apprehension of physical harm, to any person on University property or at University-sponsored activities. This includes, but is not limited to, phone harassment, verbal or written threats, and physical and sexual assaults.

6.      Making or causing any false report, warning, or threat of fire, explosion, or other emergency on University property or at University-sponsored activities.

7.      Interfering with fire, police or emergency service. This also includes failure to evacuate University facilities or willfully disregarding any emergency or fire alarm signal.

8.      Misusing or damaging fire or safety equipment on University property.

9.      Interfering with normal University or University-sponsored activities, including, but not limited to, studying, teaching, research, and University administration. Disruptions in classrooms or other instructional areas will be seen as interference with a University activity.

10. Violating the terms of any disciplinary sanction imposed in accordance with these policies.
11. Furnishing false information to the University.
12. Giving false testimony or other fraudulent evidence at any University disciplinary proceeding.
13. Unauthorized alteration or use of any University documents or records.
14. Failing to comply with the directions of a University official, including University police officers and residence hall staff, acting in the performance of their duties.
15. Violating any University policy, rule, or regulation. Such policies, rules, and regulations may include, but not be limited to, the residence hall contract, as well as those policies, rules, and regulations relating to the use of University facilities, handbills and petitions, solicitation, signs, guest speakers, and parades and demonstrations.
16. Interfering with the freedom of expression of others on University property or at University-sponsored activities.
17. Advocating, orally or in writing, the conscious and deliberate violation of any federal, state, or local 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.
18. Damaging, defacing, or destroying the property of others on University property or at University-sponsored activities.
19. Damaging, defacing, or destroying University property, including, but not limited to, buildings, statues, monuments, library and teaching materials, memorials, trees, shrubs, grasses, and flowers.
20. Wrongful utilization of university goods, services or information including, but not limited to, unauthorized possession or use of University keys, security codes, long distance phone access codes or calling cards, cable service and sale or use of University property for personal gain.
21. Improper use of student identification card. This includes allowing use of card by another to obtain services such as, but not limited to meals, event admission, and library services.
22. Unauthorized or illegal use of alcoholic beverages or products on University property or at University-sponsored activities, including, but not limited to, intercollegiate and intramural athletic events on University grounds and academic and administrative buildings. Housing policies dictate use of alcohol in residence halls and on-campus apartments.

23. Unauthorized use, possession, or storage of fireworks on University property.
24. Unauthorized throwing of any object in or from a University facility.
25. Littering on University property or at University-sponsored activities.
26. Unauthorized use of University computing equipment, services or facilities. Such unauthorized usage may include, but not limited to, improperly accessing or altering academic or administrative records, and/or information contained in an instructional or research account, harassment through e-mail, possession of unauthorized passwords, destruction of hardware or software, unauthorized copying of software, activities related to personal for-profit ventures unrelated to the educational mission of the University or illegal activities.
27. The unauthorized use of the emergency exit doors of the University shuttle buses. (Use is authorized in an emergency endangering the life and safety of passengers and driver).
28. Sexual harassment by a student of any member of the University community as delineated in Personnel Services under "Discrimination Complaints/Sexual Harassment" and "Discipline and Discharge" of the SFA Policy and Procedures section of the SFA Web pages.
29. Selling or distributing course lecture notes, handouts, readers or other information provided by an instructor, or using them for any commercial purpose without the express permission of the instructor.
30. Violating any rule, regulation, or law for which the University could be penalized including but not limited to fire, safety, or environmental codes.
31. Disrupting the normal University community living environment to the extent that the rights and/or safety of others are denied.

**Source of Authority:** Board of Regents, President, Vice President for University Affairs

**Cross Reference:** SFASU Web Pages

**Contact for Revisions:** Judicial Office

**Forms:** None

## Students Displaying Serious Psychological Problems

D-35

Original Implementation: October 12, 1982

Last Revision: ~~October 31, 2000~~ *October 23, 2003*

### 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 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.~~

### **Definitions**

***Serious psychological problems** result in behaviors, occurring on campus, in which a student is a danger to himself or others or causes significant disruptive activity.*

***An Emergency Situation** occurs when a student is an imminent danger to self or others or there is reasonable certainty of this danger occurring in the immediate future. Examples of emergency situations are, but are not limited to, a suicide attempt, threat of a suicide attempt, actual physical harm to another person or threat of imminent harm to another person.*

***A Non-emergency Situation** occurs when the student's behavior is such that it is reasonable to believe that a further deterioration of the behavior could lead the student to be a danger to self or others or to continue to display significant disruptive behavior. Examples of non-emergency situations are, but not limited to, repeated aberrant behavior such as inappropriate outbursts in classrooms or University offices or obvious non-lethal threats to self or others.*

***Qualified Mental Health Provider** is a professional licensed by a state-recognized board to offer mental health services in Texas or in another state if the student returns to another state for evaluation and/or treatment.*

***Psychological Problems Review Board** is composed of the Judicial Officer, a staff counselor from Counseling Services, and a staff physician from the Student Health Center acting as Chair. Their respective department directors appoint the counselor and the physician. The Student Health Center Director acts as the contact person to initiate hearing proceedings.*

### **Emergency Procedures**

*Anyone with knowledge of a student displaying behavior that places the student or others in imminent danger shall immediately contact the University Police Department. The University Police shall coordinate the response to the incident that may include taking the student into*

*custody, obtaining medical/mental health assistance for the student and/or beginning legal proceedings to seek confinement of the student in a mental health facility.*

*UPD shall contact the Judicial Officer as soon as is reasonably possible. The Judicial Officer, under the direction of the Vice President for University Affairs, may send a letter to the student indicating the student is barred from campus and class attendance until certain conditions are met. These conditions may include, but are not limited to, meeting with the Judicial Officer to review the case, an evaluation and release from a qualified mental health provider stating the student is ready to return to campus and class and/or that the student agrees to refrain from the behavior displayed in the incident. Also in the letter, the student shall be informed of the right to have a hearing with the Psychological Problems Review Board within five (5) working days for reconsideration of the incident and the required conditions.*

*The student may:*

- a. accept the required conditions stated in the letter and return to campus and class without a hearing or*
- b. request a hearing and remain off campus and not attend class until the matter is resolved or*
- c. do neither and, after the fifth day, be suspended from the University for at least the remainder of the semester and until the required conditions are met.*

*The request for a hearing must be made in writing and delivered to the Judicial Officer within two (2) working days of receipt of the letter to preserve the right of a hearing within five (5) days. A request filed after two (2) days but before the end of the fifth day shall preserve the right of a hearing but not the right of a hearing within the five (5) day timeframe; however, the University shall make every attempt to hold the hearing as quickly as is reasonably possible. Upon receipt of the written request, the Judicial Officer shall then contact the Student Health Center Director as soon as is reasonably possible to begin hearing proceedings.*

*The Judicial Officer may, under the direction of the Vice President for University Affairs, refer the case immediately to the Psychological Problems Review Board for a hearing within five (5) working days in cases where suspension from the University and/or removal from a class, program or service may be a possibility. The Judicial Officer shall send a letter to the student with initial notice of the hearing and state that the student is barred from campus and attending class until the hearing is held and the matter is resolved.*

*The formal notice of the hearing date, time and place and the hearing process shall follow the procedures outlined in the Hearing Procedures section of this policy.*

*If no imminent danger is found, UPD shall contact the Judicial Officer who shall then continue under non-emergency procedures.*

### ***Non-Emergency Procedures***

*The Judicial Officer can receive a report of an incident from the University Police Department or anyone with knowledge of a student displaying behaviors described in the non-emergency situation definition of this policy. The Judicial Officer shall begin an initial investigation into*

*the incident that may include interviewing involved parties and seeking input from appropriate professional resources. The student in question shall be directed to report to the Judicial Officer as soon as is reasonably possible for an initial meeting. At this meeting, the Judicial Officer shall interview the student and make one of the following findings:*

- a. The student's condition is currently such that the student is an imminent danger to self or others. The Judicial Officer shall immediately contact UPD to begin emergency procedures.*
- b. The student's condition is currently such that further deterioration could reasonably result in the student's danger to self or others or in significant disruptive behavior continuing. The Judicial Officer shall immediately issue an initial notice to the student that a hearing with the Psychological Problems Review Board shall be held within the next five (5) working days and shall contact the Student Health Center Director as soon as is reasonably possible to begin hearing proceedings. The formal notice of the hearing date, time and place and the hearing process shall follow the procedures outlined in the Hearing Procedures section of this policy.*
- c. The student's condition is currently such that counseling or other services would benefit the student. The Judicial Officer shall assist the student in making the necessary referrals. If the student's condition is drug or alcohol related, the Judicial Officer shall follow the procedures outlined in the Illicit Drugs and Alcohol Abuse D-19 policy.*
- d. The student's behavior was not related to a serious psychological problem. The case may, at the discretion of the Judicial Officer, be handled through the regular disciplinary procedures outlined in the Student Conduct Code D-34.1 and Student Discipline D-34 policies.*
- e. The student's condition and behavior is found to be in need of no action.*

### ***Psychological Problems Hearing Board Procedures***

#### ***Pre-hearing Process***

*The Chair of the Psychological Problems 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 notice shall contain the date, time and place of the hearing and the date(s), time(s), place(s) and a brief description of the behavior in question and the rights accorded to the student in the hearing. The hearing may be held sooner than three (3) days at the request of the student. The hearing shall be closed unless the student requests otherwise. The Judicial Officer shall be responsible for coordinating the gathering of witnesses and other evidence and delivering a witness list and evidence to the Chair.*

#### ***Hearing Process***

*At the hearing, the Chair 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. All parties shall be afforded the opportunity for reasonable oral argument, to question any participant present in the hearing, and be permitted to file written briefs.*

*The student shall have the right to:*

- a. be present during the presentation of all evidence,*

- b. *to be accompanied by an advisor,*
- c. *to present such witnesses and documentary evidence as may be pertinent,*
- d. *and to cross-examine witnesses offered by other parties.*

*The record of the hearing shall consist of the summary notes of the Chair 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 Chair as soon as possible, but no more than two (2) University working days from the adjournment of the hearing.*

*Within three (3) University working days from the receipt of the recommendation of the Board, the Vice President for University Affairs shall either concur, in whole or in part, with the recommendation of the Board and direct appropriate action to implement the recommendation, or shall overrule the recommendation. The Vice President shall inform the student of the action to be taken and is the final authority in these proceedings.*

#### ***Suspension Procedures***

*In cases where a student is suspended from the University under this policy, occurring through failure to accept to the required conditions, failure to request a hearing or through recommendation of the Board, the Vice President for University Affairs shall direct the Judicial Officer to send to the student a letter stating that the student is barred from re-enrollment to the University until the required conditions are met. The Judicial Officer shall place a bar on the student's University account preventing the student from re-enrollment until approval is obtained from the Judicial Officer. Other University offices shall be contacted as necessary for completion of the suspension.*

#### ***Retention of the Record and Confidentiality***

*Any records dealing with an incident of a student displaying serious psychological problems shall be held indefinitely by the Judicial Officer as a confidential file, apart from disciplinary records, to be released or accessed only by those having legitimate need as defined by state and federal laws.*

**SOURCE OF AUTHORITY:** Board of Regents, President

**CROSS REFERENCE:** SFASU Web Pages

**CONTACT FOR REVISION:** President

**FORMS:** None

## Insurance and Other Benefits

E-28

Original Implementation: Unpublished

Last Revision: ~~April 30, 2004~~ October 23, 2003

Employee insurance and benefits include the following:

Benefits eligible employees are offered a basic insurance plan, which is fully ~~paid~~ ~~for~~ funded by the State ~~for full time employees and is funded at one-half of the premium for part-time employees.~~ The basic plan includes hospitalization insurance, \$5,000 term life insurance and \$5,000 accidental death and dismemberment insurance. *Enrollment in health insurance coverage may be subject to a 90-day waiting period for employees hired on or after September 1, 2003.*

*The 90-day health coverage waiting period does not apply to:*

- 1. Employees enrolled in COBRA health coverage under the Texas Employee's Group Benefit Program at the time they are hired, if there is no break in coverage.*
- 2. Enrollment in the optional coverage during the first 30 days of employment, including Tex Flex accounts.*
- 3. Direct transfers from one agency to another (employees rehired without a break in coverage), including direct transfers from UT or Texas A&M, if there is no break in coverage.*
- 4. An employee, who has health insurance as a dependent of another Group Benefit Plan member when hired.*

~~-Each employee must elect to take-enroll or waive this plan at the time of initial~~ *within the first 31 days of employment. If a Multipurpose Form is not completed, the full-time employee must will be automatically-enrolled in the basic plan, and may be subject to the 90-day waiting period. with the exception of Graduate Assistants. Part-time employees and Graduate Assistants are not eligible for automatic enrollment. These employees must complete the Multipurpose Form must be completed within thirty-one (30/31) days of the first active duty date.*

~~An employee does not have to~~ *must* participate in the basic plan to apply for optional coverage(s). *There is not waiting period for optional coverage.*

### Group Hospitalization Insurance

~~1-A.1.~~ *A major medical health/hospitalization plan is provided, based on residency or work zip code, and/or a choice of HMO, (when available).*

Employees may select from hospitalization categories shown below:

## Coverage Category

Employee

Employee & Child/Children

Employee & Spouse

Employee, Spouse & Child/Children & Family

Details on coverage and rates are available from the Benefits Office in Human Resources (HR) or at the web site: [www.ers.state.tx.us](http://www.ers.state.tx.us).

~~2. Application~~ 2. *Application for Coverage.* Coverage for employees and their dependents must be made in the first 31 days of employment after the 90-day waiting period has been satisfied. ~~may be effective the day of employment if the Multipurpose Form is completed on or before the first active duty date. If the form is signed after the first active duty date, dependent health and/or optional coverages will be effective the first day of the month following the signature date. The form must be completed within thirty (30) days of employment. Coverage for a newly acquired dependent will be effective the first of the month following the date of acquisition, with the exception of newborn natural children who are automatically covered for the first thirty-one days, beginning on the date of birth. The application must be made within thirty (30) days thereof. If application for coverage of employee or dependent is not made within thirty (30) days, evidence of insurability is required.~~

~~3. Continuation~~ 3. *Continuation of coverage upon termination of employment is allowed by federal law with specific limitations. All separating employees will be informed of their right to continue coverage during their exit interview in HR. C.O.B.R.A. forms will be mailed by the Employee Retirement System of Texas to the home address of the terminating employee and/or covered dependents for completion. Covered dependents are also eligible for continued coverage following certain qualifying events such as divorce, death of the employee, attainment of maximum age of coverage for children, etc. An Employee or the covered dependent must notify the Benefits Office within thirty (30) days of the qualifying event date. Questions concerning procedure and benefits should be directed to the Benefits Office in HR.*

## Group Term Life Insurance

1. *Optional Term Life Insurance.* Coverage of up to twice the annual salary may be selected within ~~thirty~~ *thirty-one (30/31)* days of employment. Evidence of Insurability must be provided for Election III or Election IV.

~~Coverages~~ Coverage Amount

Election I 1 times annual salary

Election II 2 times annual salary

Election III 3 times annual salary

Election IV 4 times annual salary

~~2.~~Coverage is reduced at age 70 for active employees based on the carrier's standard reduction schedule.

~~3.~~Monthly Premium Cost. The monthly premium cost is based on age *and salary as of* September 1 of the current fiscal year, ~~or age at time of employment.~~

42. Dependent Life Insurance. Coverage is available to all employees insured under the ~~Uniform Group Insurance~~ *Texas Employee's Group Benefit* Program. Coverage includes the spouse of the employee and each unmarried child from the age of 14 days to 25 years in the amount of \$5,000 life and \$5,000 AD&D. Application for coverage must be made within ~~thirty~~ *thirty-one (30/31)* days from the date of employment, or dependent's eligibility date; otherwise evidence of insurability is required.

#### Long-Term Disability

~~1.~~Long-Term Disability insurance is available to benefits eligible employees.

~~2.~~This benefit will pay 60% of the employee's monthly salary (maximum salary \$10,000) after a 90-day waiting period in the event the employee is disabled because of injury or illness. The monthly benefit will be integrated with Workers Compensation, Social Security Disability, Teacher Retirement Disability, and/or any disability benefit. Maximum benefit, if integration is used, is 70% of insured monthly salary. Minimum benefit, if integration is used, is 10% of monthly salary for one year. The following age and time limits apply:

<i>Age When Disability Starts</i>	<i>Max. Duration of Benefits</i>
<i>Under age 60</i>	<i>To age 65</i>
<i>Age 60, but less than age 64</i>	<i>60 months</i>
<i>Age 65 – 69</i>	<i>To age 70 or 12 mos. (the greater)</i>
<del>Age When Disability Starts Maximum Duration of Benefits</del>	
<del>Less than 60 To age 65</del>	
<del>Age 60, but less than age 65 60 months</del>	
<del>Age 65 – 69 To age 70 or 12 months, whichever is greater</del>	

Age 70 and over 12 months

~~3. Monthly Premium Cost.~~ The premium is based on current rate per \$100 of monthly salary.

Application for this coverage must be made within ~~30~~ *thirty-one (31)* days of employment, otherwise evidence of insurability is required and forms must be completed during *the Summer Enrollment period.*

Short-Term Disability

~~1.~~ Short-Term Disability is available to benefits eligible employees.

~~2.~~ This benefit will pay 60% of the employee's monthly salary (maximum salary \$3,000) after a *thirty (30)*-day waiting period, *for up to five months* in the event the employee is disabled because of injury or illness. ~~The monthly benefit will be integrated with Workers Compensation, Social Security Disability, Teacher Retirement Disability, and/or any disability benefit. Maximum benefit, if integration is used, is 70% of insured monthly salary. Minimum benefit, if integration is used, is 10% of monthly salary for up to five months.~~

~~3. The Monthly Premium Cost.~~ The premium is based on *the* current rate per \$100 of monthly salary.

Application for this coverage must be made within ~~30~~ *thirty-one (31)* days of employment, otherwise evidence of insurability is required ~~and forms must be completed~~ during Summer Enrollment.

Accidental Death and Dismemberment Benefits

Benefits eligible employees have the option of participating in the ~~University's~~ AD&D program. ~~The minimum~~ This coverage is available starting at \$10,000 in increments of \$5,000 up to \$200,000, and the maximum coverage is \$200,000 in increments of \$5,000 if ~~under the age of 70.~~ After age 70, the minimums and maximums are reduced. Double coverage of dependent children will be allowed, if both parents are UGIP ~~Group Benefit Plan~~ employees.

~~Monthly Premium Cost.~~ The *monthly* premium is based on current rate per \$1,000 of coverage. Application for this coverage must be made within *thirty-one (30/31)* days of employment or could be added during the summer enrollment period.

Dental Insurance

Benefits eligible employees may elect to participate in either of the two group dental insurance programs. If application for coverage is not made within *thirty-one (30/31)* days of employment, dental plan benefits cannot be acquired until the beginning of the next



plan year and ~~Enrollment~~ forms must be completed during ~~Summer~~ the summer Enrollment period.

#### Cancer Care

Benefits eligible employees may elect to participate in cancer care coverage. Employees should contact the insurance company representative to make an application.

#### Long Term Care

*A Long Term Care Plan is offered by Employees Retirement System of Texas to active employees and their families through CAN Insurance. The active employee may enroll at the time of employment or (within 31 days), without evidence of insurability. However, any family members must go through evidence of insurability to enroll in the plan.*

#### Retiree Insurance Coverage

*University employees may continue their health insurance coverage providing they have ten or more years of creditable service, have been covered under the Texas Employee's Group Benefit Program, for at least three years prior to September 1, 2001, or ten years, after September 1, 2001, and meet the criteria for retirement benefits. Beginning September 1, 2003, the qualification for retiree insurance is age 65 or age plus years of service equals 80. ~~retiring with ten or more years of creditable service, who have been covered for at least three years under the Uniform Group Insurance Program, and who meet the qualifying standard for retirement benefits as stated in the provision of the Teacher Retirement Act, or those~~ Those who become permanently and totally disabled, are entitled to participate in retiree insurance coverage if they meet the criteria. ~~The State contribution for health insurance is the same for retirees and their dependents as for active employees.~~ The State will contribute the amount contributed for regular employees toward retiree and dependent coverage. A ~~thirty~~thirty-one- (3031) day enrollment period is provided for persons retiring or qualifying for retiree insurance coverage. *If employed at the time of retirement, and eligible for insurance benefits, there will be no waiting period for enrollment in the health plan. However, if the retiring member is not in an active status at the time of reaching eligibility for retiree insurance, (age 65 or age plus years of service equal to 80), there will be a ninety-day (90) waiting period for participation in the health plan.**

Complete information will be made available to all qualified retirees by HR prior to the ~~time~~ their date of retirement.

#### Social Security

All employees of the University are covered by the Federal Insurance Contribution Act (FICA). Currently, the employee contributions are broken down as follows:

1. 6.20% of base salary of \$80,400 for Old Age and Survivor's and Disability Insurance (OASDI);
2. 1.45% of base salary for Medicare (HI).

This information is based on the Year 2001-2003 rates and limits.

#### Flexible Benefit Plan

Benefits eligible employees may participate in the Flexible Benefit Plan established in accordance with Section 125 of the Internal Revenue Code. The plan permits employees to pay for certain eligible expenses with pre-tax money.

~~Redirection of Insurance Premiums—Effective September 1, 1999, all employees will be enrolled automatically in the Redirection of Insurance Premiums. Allowable insurance premiums will be paid with pre-tax money, Premium Conversion and all insurance premiums, with the exception of Short-Term Disability, Long-Term Disability and Dependent Life, will be paid with pre-tax money.~~

~~Through this plan, participants—the employee may enroll for one or more of the following choose to participate in one or both of Reimbursement Accounts:~~

1. Medical Reimbursement Account – The participant may specify an amount of pre-tax money to be deposited in a medical reimbursement account. The participant can then apply for reimbursement when certain allowable out-of-pocket health care expenses are incurred.
2. Dependent Care Reimbursement Account – The participant may specify an amount of pre-tax money to be deposited in a dependent care reimbursement account. The participant can then apply for reimbursement when dependent care expenses are incurred.

Substantial tax savings may be realized through the Flexible Benefit Plan. However, several restrictions are important *to keep in mind when enrolling in one or both of the reimbursement accounts.*

1. Amounts designated to be tax sheltered cannot be changed during a plan year unless there is a change in family status. Forms must be completed within thirty (30) days of the event date, otherwise no changes may be made until the next summer enrollment period.
2. Reimbursement accounts are on a use-it-or-lose-it basis. During a plan year, expenses should be incurred for all tax sheltered money because any amount not reimbursed to the participant reverts to the insurer.

Eligible employees may enroll at the time of employment or during the Summer Enrollment period prior to the next Plan year. To continue to participate, employees must re-enroll each year during the Summer Enrollment period.

Expenses for participation include a \$3 per month charge per account to all employees paid on a 12 month basis, or a \$4 per month charge per account for all employees paid on a 9 month basis. (These charges were waived for fiscal year 2000, and will be reviewed by ERS each year hereafter.)

#### State Deferred Compensation Plan/TEXAS AVER

This plan is available to all employees. This plan allows employees to allocate a specified amount of their earnings to a tax-sheltered plan purchased by the State of Texas. Employees interested in learning more about the State Deferred Compensation Plan should contact the Benefits Office in HR or the web site at [www.ers.state.tx.us](http://www.ers.state.tx.us).

#### Tax Sheltered Annuities

All faculty and staff members who are employed, at half time or more in a non-student status, are eligible to purchase a supplemental tax sheltered annuity.

Individuals electing to participate in the Tax Sheltered Annuity Plan should contact an authorized company for information and request to complete the proper forms requesting the completion of a Maximum Exclusion Allowance Calculation Form. The employee must complete a written agreement authorizing the deduction from their monthly salary.

The authorization initiating a tax sheltered annuity should be executed on or before the first day of the month to be effective the next pay period. This agreement will remain in effect until the employee initiates a change of authorization or the maximum amount has been contributed.

Changes to the salary reduction authorization are permitted. Employees may change carriers and/or the amount of their deduction at any time. An employee may terminate an authorized reduction in salary by completing the proper forms in Human Resources contacting the Benefits Manager in HR and completing the appropriate form.

Once an annuity contract has been purchased for an employee, any questions concerning the contract's relation to the income tax laws are strictly between the faculty or staff member and the Internal Revenue Service.

Information on Tax Sheltered Annuities may be obtained from the Benefits Office in HR.

#### U.S. Savings Bonds

Employees may purchase savings bonds starting in increments of \$100/month (cost of \$50 for a \$100 bond.)

**Source of Authority:** Texas Constitution, art. 16, sec. 67; V.T.C.S., Title 110B, secs. 31.001 to 36.204; V.T.C.S., art. 695h; Texas Insurance Code, secs. 3.50-3, 3.51-4A, 3.51-5; Internal Revenue Code, secs. 102 and 106; 29 U. S. C., sec. 1001 et seq.; Texas Higher

Education Coordinating Board; Board of Regents; President; Vice President for Business Affairs

**Cross Reference:** Non-Academic Employee Handbook

**Contact for Revision:** Director of Human Resources

**Forms:** None

## **Leave of Absence (Faculty)**

## **E-29A**

Original Implementation: September 1, 1981

Last Revision: ~~July 15, 2003~~ *October 23, 2003*

The University may grant a leave of absence to faculty, when departmental needs allow, for the following reasons:

1. To pursue additional education or training for the faculty member which will strengthen their performance in their position at SFASU.
2. To engage in research and writing directly related to responsibilities at SFASU.
3. To accept a similar position in a visiting capacity at another institution.
4. To accept a position outside higher education that is directly related to the employee's professional field and has potential for enhancing their future contributions to the University.
5. Health, following the use of all accumulated sick leave, when it is demonstrated that at the end of the leave period the employee will be able to resume duties at SFASU.

Leaves may be granted with the following conditions:

1. Requests for a leave of absence will be directed to the President of the University through administrative channels.
2. No paid or unpaid leave will be approved for more than 12 months.
3. Requests for renewal of a leave may be considered when submitted in writing prior to March 15.
4. Individuals who are not planning to return from leave to SFASU should notify the department chair before March 15.
5. Individuals for whom a leave has been approved are responsible for making an appointment with the University Benefits Manager to resolve all questions regarding employee benefits.
6. Individuals on leave due to a personal serious health condition or to care for a covered relation must contact their supervisor at least once each week, or as often as requested by the supervisor, regarding the status of the condition and the intention to return to work. The supervisor is responsible for reporting this information to Human Resources. Additionally, the individual is required to call Human Resources on the 1<sup>st</sup> and 3<sup>rd</sup> Monday of each month during their leave to report their leave and/or return to work status.

Employees on leave due to a Worker's Compensation claim must contact their supervisor as least once each week, or as often as requested by their supervisor, regarding the status of the condition and the intention to return to work. Additionally, the individual is required to provide a work status report to the University Safety Office from the treating

physician after each appointment. The Safety Office will provide a form to the physician upon request. The employee is responsible for insuring the information is provided as requested.

Employees, who are recovering from a worker's compensation injury, are concurrently on FMLA leave, and who have exhausted all accrued paid leave are in leave without pay status (LWOP). These employees must make a written request from the University President for a leave of absence (LOA) not to exceed a 12 month period from the beginning of their leave without pay status. Except as provided for in the following leave provisions, any extended leaves of absence without pay for a period of four and one-half (4-1/2) months or more for faculty must be approved by the Board of Regents upon the recommendation of the President.

**Family Medical Leave** - The Family Medical Leave Act (FMLA) will, in many circumstances, entitle University employees with more than one year of service and who have worked at least 1,250 hours in the last year, to request up to twelve weeks of medical leave per year. Employees entitled to FMLA leave are required to use all sick leave accrued while taking the FMLA leave.

**Parental Leave** - Employees with less than 12 months of state service or less than 1,250 hours of work in the 12 months immediately preceding the start of leave are entitled to a parental leave of absence, not to exceed 12 weeks, if the employee uses all available and appropriate sick leave while taking the parental leave. Such parental leave may only be taken for the birth of a natural child or the adoption or foster care placement with the employee of a child under 3 years of age. The leave period begins with the date of birth or the adoption or foster care placement.

**Foster Parent Leave** - An employee, who is a foster parent to a child under the conservatorship of the Department of Protective and Regulatory Services (DPRS), is entitled to a leave of absence with full pay for the purpose of attending staffing meetings held by the DPRS regarding the employee's foster child. In addition, the employee may attend, with a paid leave of absence, the Admission, Review, and Dismissal (ARD) meeting held by a school district regarding the child under the foster care of the employee.

### **Emergency Leave**

1. **Bereavement Leave:** Regular employees will be granted bereavement leave without a loss in pay when a death occurs in their family. For the purposes of bereavement leave, family is defined as the employee's spouse, or the employee's and spouse's parents, children, brothers, sisters, grandparents and grandchildren.

The amount of time granted for bereavement leave shall not exceed three days. A full three days is not automatically granted since it is intended that such leave be limited to the reasonable amount of time necessary for travel, funeral arrangements, and funeral services.

Requests for bereavement leave should be submitted to the department official who has the authority to approve leave. Requests for bereavement leave for family members not mentioned above, or for leaves greater than three days are subject to the approval of the Director of Human Resources, the Divisional Vice President, and the University President. Employees requesting bereavement leave may be required to provide documentary evidence of the relative's death to qualify for paid leave.

2. **Administrative Leave:** Administrative leave will be granted in only the rarest of circumstances. While employees hold no entitlement to additional leave, they may be granted paid emergency/administrative leave when it is determined that there is good cause for such leave. Such leaves will not normally exceed three workdays per fiscal year.

- For the purposes of this leave, an emergency is defined as an unforeseen event or combination of circumstances calling for immediate action which if not responded to immediately would present imminent danger to human life or substantial damage to property. Except for extraordinary circumstances, employees accruing sick leave would not be eligible for emergency leave for their own, or a family member's medical illness.

Administrative leave may be requested by an employee and approved by the department head for the employee to attend the funeral of a co-worker or other University employee with whom they regularly worked. Department heads, however, must ensure minimum staff levels are maintained in the department.

Inclement weather conditions will not constitute just cause for an emergency leave unless approved by the President for the institution as a whole.

Requests for emergency/administrative leave will not be approved unless authorized by the employee's immediate supervisor and department head, the Director of Human Resources, the Divisional Vice President, and the University President. All requests for emergency leave should be routed to the employee's supervisor on the "Emergency Leave Request" form.

**Parent-Teacher Conference Leave** - An employee may use up to 8 hours of sick leave each calendar year to attend parent-teacher conference sessions for the employee's children who are in pre-kindergarten through 12th grade. Employees must give reasonable notice of intention to use sick leave to attend such conferences.

**Jury Duty** - No deduction shall be made from the salary or wages of any employee who is called for jury service.

*Military Leave*

*State employees are eligible for leave to accommodate:*

- *Authorized training or duty for the state's military forces and members of any reserve branch of the U.S. Armed Forces.*
- *Activation of the State's National Guard by the Governor.*
- *National emergency activation for members of a reserve branch of the U.S. Armed Forces.*

*Adjusted Work Schedule for Military Leave:* *This agency will adjust the work schedule of a military member so that two of the employee's days off each month coincide with two days of military duty.*

*Authorized Training for Duty:* *A state employee who is called to active duty or authorized training is entitled to a leave of absence of 15 days in each federal fiscal year (October 1 – September 30) without loss of pay or benefits. The 15 days need not be consecutive. In addition, these days are "working" days, not "calendar" days. After exhausting the 15 days, the employee may use accrued vacation or be placed in a leave without pay status (or combination of the two) for the remainder of the active duty period.*

*Call to National Guard Active Duty by the Governor:* *A member of the National Guard called to active duty by the Governor because of a state emergency is entitled to receive emergency leave without loss of military or annual leave. This leave is not limited and will be provided with full pay.*

*Certain Benefits and Service for State Employees:* *A member of the state military forces who is ordered to active state duty by the Governor or by other proper authority under the law of this State is entitled to the same benefits and protections provided:*

- *To persons performing service in the uniformed services by 38 U.S.C. Sections 4301–4313 and 4316–4319, as that law existed on April 1, 2003; and*
- *To persons in the military service of the United States by 50 App. U.S.C. Sections 501–536, 560, and 580–594, as that law existed on April 1, 2003.*

*This applies only to persons serving on active state duty on or after the effective date of this statute without regard to the date on which the person was initially ordered to active state duty.*

*Call to National Duty:* *A member of the National Guard or any reserve branch of the U.S. Armed Forces called to federal active duty during a national emergency is entitled to an unpaid leave of absence after exhausting the 15 days of paid military leave. The employee retains any accrued sick or vacation leave. The employee does not earn sick or annual leave during this period; however, he or she does accrue state service credit. The employee may use any accrued annual leave, compensatory time, or overtime leave to maintain benefits for the employee or the employee's dependents while on military duty. Before the employee departs for military service, the agency shall review with the employee any issues relating to maintaining health insurance coverage. Additionally, the employee may continue to accrue service credit with ERS by receiving at least one hour*



of state pay during each month of active military service. The employee may use any combination of paid leave to qualify for state pay.

Differential Pay: The agency shall grant sufficient emergency leave to provide a pay differential if the employee's military gross pay is less than the employee's state gross pay. The combination of gross military pay and emergency leave may not exceed the employee's actual state gross pay.

Restoration of Employment: To be eligible for restoration of employment at the conclusion of military service, the employee must be honorably discharged no later than five years after induction, enlistment, or call to duty and must be physically and mentally qualified to perform the duties of the job.

**Certified Red Cross Activities Leave** - Employees who are certified disaster service volunteers of the American Red Cross or are in training to become such a volunteer are entitled to a leave of absence not to exceed 10 days each fiscal year. The employee must have the approval of his or her supervisor and a formal request from the Red Cross. In addition, the approval of the Governor's Office is required. An employee on such leave will not lose pay, vacation time, sick leave, earned overtime, and/or compensatory time during this leave. The pool of certified disaster volunteers must not exceed 350 participants at any one time.

**Volunteer Firefighters/Emergency Medical Services Training Leave** - Volunteer firefighters and emergency medical services volunteers will be granted a paid leave of absence not to exceed five working days each fiscal year for attending training schools conducted by state agencies.

~~**National Guard Active Duty** - A leave of absence with full pay shall be provided any employee who is called to active duty with the National Guard by the Governor of Texas because of an emergency.~~

~~**Military Training Or Duty** - Employees shall be entitled to leave of absence from their respective duties without loss of time or efficiency rating or vacation time or salary on all days during which they shall be engaged in authorized training or duty ordered or authorized by proper authority, for a period not to exceed fifteen (15) days in any one federal fiscal year.~~

~~**National Emergency Duty** - An employee called to active duty during a national emergency by a reserve branch of the United States Armed Forces shall have a leave of absence. The employee shall not lose the ability to accrue state service credit while on active duty but shall not accrue sick leave. However, the employee shall retain any accrued sick leave and shall be credited with such balances upon return.~~

~~**American Red Cross Activities**—With supervisory authority, a request from the Red Cross and approval of the Governor's office, SFASU employees who are certified disaster service volunteers of the American Red Cross will be granted up to ten days of paid leave each year to participate in specialized disaster relief services.~~

~~**Volunteer Fire Fighting Training**—An employee who is a volunteer fire fighter shall be granted a leave of absence with full pay to attend training schools conducted by state agencies provided such leave does not exceed five (5) working days in any one fiscal year. The leave of absence shall in no way be charged against the employee's sick leave. This leave of absence may also be granted to volunteer firefighters for the purpose of responding to emergency fire situations.~~

**Guide Dog Training** - SFASU employees who are blind shall be granted up to 10 working days of absence with pay each fiscal year for the purpose of attending a training program to acquaint the employee with a seeing-eye dog to be utilized by the employee. This leave is in addition to other leave entitlements.

**Organ or Bone Marrow Donors** – An employee is entitled to a leave of absence without a deduction in salary for the time necessary to permit the employee to serve as a bone marrow or organ donor. The leave of absence may not exceed five working days in a fiscal year to serve as a bone marrow donor or 30 working days in a fiscal year to serve as an organ donor.

**Donation of Blood** – An employee shall be allowed sufficient time off, without a deduction in salary or accrued leave, to donate blood. An employee must obtain approval from his/her supervisor prior to taking off. On returning to work, an employee shall provide his/her supervisor with proof that the employee donated blood during the time off. An employee may receive time off not to exceed more than four times in a fiscal year.

All requests for leave must be accompanied by a "Personnel Action Request" form.

**Source of Authority:** General Appropriations Act, art. V, secs. 2 and 8; President; Vice President for Business Affairs

**Cross Reference:** Non-Academic Employee Handbook

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

**Forms:** Personnel Action Request, see Index E-39; Emergency Leave Request; Bereavement Leave; Emergency Leave Request; Administrative Leave (all available in University Printing Services)

## **Leave of Absence (Non-Academic) E-30N**

Original Implementation: September 1, 1981

Last Revision: ~~July 15, 2003~~ *October 23, 2003*

The President may grant a leave of absence without pay to non-academic employees after receiving input from the supervising department regarding departmental needs and subject to the following provisions:

1. All accumulated paid leave entitlements must be exhausted before granting such leaves, with the additional provision that sick leave must be exhausted only in those cases where the employee is eligible to take sick leave. Employees off due to a worker's compensation injury will not be required to exhaust their accrued vacation and comp time, but their accrued sick leave must be exhausted before leave of absence may be granted.
2. Such leaves will be limited in duration to twelve (12) months.
3. Subject to fiscal constraints, approval of such leaves constitutes a guarantee of re-employment.
4. The return to work date shall be specified when the leave is requested; or, in the event that the return date is not known, the employee must make arrangements to contact the supervisor at least once each week or as often as requested by the supervisor. The employee is required to call Human Resources on the 1<sup>st</sup> and 3<sup>rd</sup> Monday of each month during the leave to report their leave and/or return to work status.

Individuals on leave due to a Worker's Compensation claim must contact their supervisor at least once each week, or as often as requested by their supervisor, regarding the status of the condition and the intention to return to work. Additionally, the employee is required to provide a work status report to the University Safety Office from the treating physician after each appointment. The Safety Office will provide a form to the physician upon request. The employee is responsible for insuring the information is provided as requested.

5. The employee must report to the supervisor and the Human Resources department if he/she will be unable to return to work at the end of the leave period and must provide an acceptable reason for the delay. Failure to return to work from an approved leave of absence by the intended date and to provide an acceptable reason will be considered job abandonment.

Employees who are recovering from a worker's compensation injury, are concurrently on FMLA leave, and who have exhausted all accrued sick leave are in leave without pay status (LWOP). Those employees must make a written request for a leave of absence (LOA) from the University President not to exceed a 12-month period from the beginning of their leave without pay status. Except as provided for in the following leave provisions, any extended leaves of absence without pay for a period of four and one-half

(4 1/2) months or more for professional (exempt, non-academic) employees must be approved by the Board of Regents upon the recommendation of the President.

The President designates the department head to permit an employee to a leave of absence **without pay** for 1-3 days for appropriate reasons. The department head can approve a leave of absence without pay only one (1) time per fiscal year. An individual who chronically exhausts all paid leave and has utilized one department-approved leave of absence without pay will be required to request a leave of absence without pay in advance from the President for future leave needs unless entitled to other benefits under University policy or law. All leaves for a semester or less, except as stated above, must be approved by the President. The Board of Regents must approve leaves of more than a semester.

**Family Medical Leave** - The Family Medical Leave Act (FMLA) will, in many circumstances, entitle University employees with more than one year of service and who have worked at least 1,250 hours in the last year, to request up to twelve weeks of medical leave per year. Employees entitled to FMLA leave are required to use all of their paid vacation and sick leave while taking the FMLA leave.

**Parental Leave** - Employees with less than 12 months of state service or less than 1,250 hours of work in the 12 months immediately preceding the start of leave are entitled to a parental leave of absence, not to exceed 12 weeks, if the employee uses all available and appropriate paid vacation and sick leave while taking the parental leave. Such parental leave may only be taken for the birth of a natural child or the adoption or foster care placement with the employee of a child under 3 years of age. The leave period begins with the date of birth or the adoption or foster care placement.

**Foster Parent Leave** - An employee, who is a foster parent to a child under the conservatorship of the Department of Protective and Regulatory Services (DPRS), is entitled to a leave of absence with full pay for the purpose of attending staffing meetings held by the DPRS regarding the employee's foster child. In addition, the employee may attend, with a paid leave of absence, the Admission, Review, and Dismissal (ARD) meeting held by a school district regarding the child under the foster care of the employee.

#### **Emergency Leave -**

a) Bereavement Leave: Regular employees will be granted bereavement leave without a loss in pay when a death occurs in their family. For the purposes of bereavement leave, family is defined as the employee's spouse, or the employee's and spouse's parents, children, brothers, sisters, grandparents and grandchildren.

The amount of time granted for bereavement leave shall not exceed three days. A full three days is not automatically granted since it is intended that such leave be limited to the reasonable amount of time necessary for travel, funeral arrangements, and funeral services. If additional days are needed, the employee will be required to use vacation or compensatory time. Employees who have exhausted all accruals will be required to take leave without pay if extended leave is approved.

Requests for bereavement leave should be submitted to the department official who has the authority to approve leave. Requests for bereavement leave for family members not mentioned above, or for leaves greater than three days are subject to the approval of the Director of Human Resources, the Divisional Vice President, and the University President. Employees requesting bereavement leave may be required to provide documentary evidence of the relative's death to qualify for paid leave.

b) **Administrative Leave:** Administrative leave will be granted in only the rarest of circumstances. While employees hold no entitlement to additional leave, they may be granted paid emergency/administrative leave when it is determined that there is good cause for such leave. Such leaves will not normally exceed three workdays per fiscal year.

For the purposes of this leave, an emergency is defined as an unforeseen event or combination of circumstances calling for immediate action which if not responded to immediately would present imminent danger to human life or substantial damage to property. Except for extraordinary circumstances, employees accruing sick leave would not be eligible for emergency leave for their own, or a family member's medical illness.

Administrative leave may be requested by an employee and approved by the department head for the employee to attend the funeral of a co-worker or other University employee with whom they regularly worked. Department heads, however, must ensure minimum staff levels are maintained in the department.

Inclement weather conditions will not constitute just cause for an emergency leave unless approved by the President for the institution as a whole.

Requests for emergency/administrative leave will not be approved unless authorized by the employee's immediate supervisor and department head, the Director of Human Resources, the Divisional Vice President, and the University President. All requests for emergency leave should be routed to the employee's supervisor on the "Emergency Leave Request" form.

**Parent-Teacher Conference Leave** - An employee may use up to 8 hours of sick leave each calendar year to attend parent-teacher conference sessions for the employee's children who are in pre-kindergarten through 12th grade. Employees must give reasonable notice of intention to use sick leave to attend such conferences.

**Jury Duty** - No deduction shall be made from the salary or wages of any employee who is called for jury service.

~~**National Guard Active Duty** - A leave of absence with full pay shall be provided any employee who is called to active duty with the National Guard by the Governor of Texas because of an emergency.~~

~~**Military Training or Duty Leave** -~~

*State employees are eligible for leave to accommodate:*

- *Authorized training or duty for the state's military forces and members of any reserve branch of the U.S. Armed Forces.*
- *Activation of the State's National Guard by the Governor.*
- *National emergency activation for members of a reserve branch of the U.S. Armed Forces.*

*Adjusted Work Schedule for Military Leave:* *The University will adjust the work schedule of a military member so that two of the employee's days off each month coincide with two days of military duty.*

*Authorized Training for Duty:* *A state employee who is called to active duty or authorized training is entitled to a leave of absence of 15 days in each federal fiscal year without loss of pay or benefits. The 15 days need not be consecutive. In addition, these days are "working" days, not "calendar" days. After exhausting the 15 days, the employee may use accrued vacation or be placed in a leave without pay status (or combination of the two) for the remainder of the active duty period.*

*Call to National Guard Active Duty by the Governor:* *A member of the National Guard called to active duty by the Governor because of a state emergency is entitled to receive emergency leave without loss of military or annual leave. This leave is not limited and will be provided with full pay.*

*Certain Benefits and Protections for State Service:* *A member of the state military forces who is ordered to active state duty by the Governor or by other proper authority under the law of this State is entitled to the same benefits and protections provided:*

- *To persons performing service in the uniformed services by 38 U.S.C. Sections 4301-4313 and 4316-4319, as that law existed on April 1, 2003; and*
- *To persons in the military service of the United States by 50 App. U.S.C. Sections 501-536, 560, and 580-594, as that law existed on April 1, 2003.*

*This applies only to persons serving on active state duty on or after the effective date of this statute without regard to the date on which the person was initially ordered to active state duty.*

*Call to National Duty:* *A member of the National Guard or any reserve branch of the U.S. Armed Forces called to federal active duty during a national emergency is entitled to an unpaid leave of absence after exhausting the 15 days of paid military leave. The employee retains any accrued sick or vacation leave. The employee does not earn sick or annual leave during this period; however, he or she does accrue state service credit. The employee may use any accrued annual leave, compensatory time, or overtime leave to maintain benefits for the employee or the employee's dependents while on military duty. Before the employee departs for military service, the agency shall review with the employee any issues relating to maintaining health insurance coverage. Additionally, the employee may continue to accrue service credit with ERS by receiving at least one hour of state pay during each month of active military service. The employee may use any combination of paid leave to qualify for state pay.*

*Differential Pay:* *The agency shall grant sufficient emergency leave to provide a pay differential if the employee's military gross pay is less than the employee's state gross pay. The combination of gross military pay and emergency leave may not exceed the employee's actual state gross pay.*

*Restoration of Employment:* *To be eligible for restoration of employment at the conclusion of military service the employee must be honorably discharged no later than*

five years after induction, enlistment, or call to duty and must be physically and mentally qualified to perform the duties of the job.

Certified Employees shall be entitled to leave of absence from their respective duties without loss of time or efficiency rating or vacation time or salary on all days during which they shall be engaged in authorized training or duty ordered or authorized by proper authority, for a period not to exceed fifteen (15) days in any one federal fiscal year.

National Emergency Duty—An employee called to active duty during a national emergency by a reserve branch of the United States Armed Forces shall have a leave of absence. The employee shall not lose the ability to accrue state service credit while on active duty but shall not accrue vacation or sick leave. However, the employee shall retain any accrued vacation or sick leave and shall be credited with such balances upon return.

American Red Cross Activities Leave - With supervisory authority, a request from the Red Cross and approval of the Governor's office, SFASU employees who are certified disaster service volunteers of the American Red Cross will be granted up to ten days of paid leave each year to participate in specialized disaster relief services. Employees who are certified disaster service volunteers of the American Red Cross or are in training to become such a volunteer are entitled to a leave of absence not to exceed 10 each fiscal year. The employee must have the approval of his or her supervisor and a formal request from the Red Cross. In addition, the approval of the Governor's Office is required. An employee on such leave will not lose pay, vacation time, sick leave, earned overtime, and/or compensatory time during this leave. The pool of certified disaster volunteers must not exceed 350 participants at any one time.

*Volunteer Firefighters/Emergency Medical Services Training Leave – Volunteer firefighters and emergency medical services volunteers will be granted a paid leave of absence not to exceed five working days each fiscal year for attending training schools conducted by state agencies.*

~~**Volunteer Fire Fighting Training**—An employee who is a volunteer fire fighter shall be granted a leave of absence with full pay to attend training schools conducted by state agencies provided such leave does not exceed five (5) working days in any one fiscal year. The leave of absence shall in no way be charged against the employee's vacation or sick leave. This leave of absence may also be granted to volunteer firefighters for the purpose of responding to emergency fire situations.~~

**Guide Dog Training** - SFASU employees who are blind shall be granted up to 10 working days of absence with pay each fiscal year for the purpose of attending a training program to acquaint the employee with a seeing-eye dog to be utilized by the employee. This leave is in addition to other leave entitlements.

**Organ or Bone Marrow Donors** – An employee is entitled to a leave of absence without a deduction in salary for the time necessary to permit the employee to serve as a bone marrow or organ donor. The leave of absence may not exceed five working days in a



fiscal year to serve as a bone marrow donor or 30 working days in a fiscal year to serve as an organ donor.

**Donation of Blood** – An employee shall be allowed sufficient time off, without a deduction in salary or accrued leave, to donate blood. An employee must obtain approval from his/her supervisor prior to taking off. On returning to work, an employee shall provide his/her supervisor with proof that the employee donated blood during the time off. An employee may receive time off not to exceed more than four times in a fiscal year.

All requests for leave must be accompanied by a "Personnel Action Request" form.

**Source of Authority:** General Appropriations Act, art. V, secs. 2 and 8; President; Vice President for Business Affairs

**Cross Reference:** Non-Academic Employee Handbook

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

**Forms:** Personnel Action Request, see Index E-39; Emergency Leave Request; Bereavement Leave; Emergency Leave Request; Administrative Leave (all available in University Printing Services)



## Retirement Programs

E-43

Original Implementation: September 1, 1983

Last Revision: ~~April 30, 2001~~ *October 23, 2003*

Employees of the University working 20 hours per week (50% time) or more for a period of at least four and one-half months, excluding students employed in positions requiring student status as a condition of employment, must participate in either the Teacher Retirement System of Texas (TRS) or an Optional Retirement Program (ORP).

Indicated contribution amounts for the employee, and the employer's matching contribution, are determined by the Texas State Legislature. These amounts are subject to change with any legislative session. The amounts listed are those in effect at the time of publication of this policy and in no way reflect a contract between Stephen F. Austin State University and any employee.

1. Teacher Retirement System. Employees who participate in the Teacher Retirement System of Texas are required to contribute 6.4% of their gross annual salary to the Retirement System. The employer matching contribution is 6.00% of the gross annual salary. Contributions are obtained through monthly payroll deductions.

### 2. Optional Retirement Program

a. ELIGIBILITY--An Optional Retirement Program is available to the following employees of the University: full-time members of the faculty whose duties include teaching or research; administrator responsible for teaching and research faculty; professional librarians, the President, vice presidents, or other professional staff members whose national mobility requirements are similar to those of faculty members and who fills a position that is the subject of nationwide searches in the academic community. Eligibility to participate is also subject to rules adopted by the Higher Education Coordinating Board. Positions listed in the University's classified pay plan are ineligible to participate. Eligibility in ORP is in lieu of present or future active membership in the Teacher Retirement System of Texas.

The University Board of Regents utilizes the following definitions, promulgated by the Texas Higher Education Coordinating Board, for determining eligibility for participation in the Optional Retirement Program:

- (1) "a member of the faculty whose duties include teaching or research" shall mean: all persons whose specific assignments are made for the purpose of conducting instruction or research as a principal activity (or activities), and who hold titles of professor, associate professor, assistant professor, instructor, lecturer, or equivalent faculty title;
- (2) "an administrator responsible for teaching and research faculty" shall mean: deans, directors, associate deans, assistant deans, chairpersons or heads of academic departments

if their principal activity is planning, organizing and directing the activities of faculty as defined in subsection (1) of this section;

(3) "professional librarian" shall mean: a librarian with a degree in library science;

(4) "other professional staff person" shall mean: administrative and professional positions that are generally and customarily recruited by advertising in national publications such as The Chronicle of Higher Education or in newsletters of national professional associations or at meetings of such associations. In addition, each administrative or professional position must be at a salary rate equivalent to the rate for faculty for the institution.

(a) administrative positions shall normally report to the office of the President, vice president or dean. Incumbents in such positions serve as director or other administrative head of a major department or budget entity. Incumbents of such positions must be:

i. appointed by the governing board or the chief administrative officer of the institution, or his/her delegate; and

ii. responsible for the preparation and administration of the budget, policies, and programs of the department or entity.

(b) professional positions shall include positions in nationally recognized fields, which require advanced degrees and/or specialized professional and artistic training, experience, and achievement. These would include titles such as physicians, athletic coaches, engineers, and lawyers.

b. TIME LIMIT FOR ELECTION OF ORP--Eligible new employees have 90 days after employment by the University in an ORP eligible position to elect to participate in ORP. An employee who elects to participate in ORP must complete the "Election to Participate in the Optional Retirement Plan" (Form TRS 28), and the proper payroll forms. The employee may withdraw all contributions they made to TRS by completing form TRS 29.

c. CONTRIBUTIONS TO ORP--Contributions of participants in ORP shall be 6.65% of gross annual salary. The employer matching contribution is 8.5% of the gross annual salary for grandfathered employees (ORP participants prior to 9-1-95.) New employees hired on or after 9-1-95 receive a 6.0% employer matching contribution.

3. Federal, Private, and other Non-Education and General Contributions to Retirement Programs. As a result of House Bill 2083 passed by the Texas 66th Legislature, and Senate Bill 745 passed by the Texas 69th Legislature, matching contributions into both ORP and TRS based on salaries and wages paid from these sources will be direct fringe benefit charges against these sources.

A listing of authorized vendors and agents is available in Human Resources.

**Source of Authority:** V.T.C.S., Title 110B, Chapter 31-36; Texas Higher Education Coordinating Board; Board of Regents, President; Vice President for Business Affairs

**Cross Reference:** None

**Contact for Revision:** Director of Human Resources

**Forms:** Election to Participate in the Optional Retirement Plan, (Form TRS 28) and the ORP-1, (both forms are available in Human Resources)

## Security Sensitive Positions

E-44

Original Implementation: May 1, 1989

Date of Last Revision: ~~August 1, 2000~~ October 23, 2003

Security sensitive positions are those in which employees handle currency, have access to financial records, legal records, medical records, personnel records and student academic records, have access to a master key, or work in an area of the University which has been designated as a security sensitive area. Positions designated as security sensitive will be identified as such in individual job descriptions, in any advertising for job applicants, and in all personnel transaction forms and correspondence with Human Resources concerning recruitment.

Department heads and/or account managers having the authority to employ, who desire to establish, change, or delete a position as security sensitive must submit, through administrative channels, a recommendation to the appropriate vice president. If approved, the vice president will forward the recommendation to the Director of Human Resources who will identify the position as security sensitive in the personnel records of the University. All advertisements and notices released for security sensitive positions shall include the statement: "Security Sensitive Position."

At employment, Human Resources requests a Criminal Record Check which is forwarded to the Chief of University Police. The candidate may be offered continued employment by the University contingent upon the evaluation of the criminal history record check. If the check reveals a criminal record, the Chief of University Police informs the Director of Human Resources. The Director of Human Resources will evaluate the record in light of the University's policy on employment of persons with criminal history and make a recommendation to the department head that the employee will be "recommended" or "not recommended" for continued employment ~~using the Confidential Report on Criminal Records Check for a Security Sensitive Position form. "Recommended" is checked~~. *A recommendation to continue employment will be made when there is no criminal record, or when there is a record but it is not considered a bar to employment of the candidate by the University for that position. The appropriate Vice President or President will make the final decision on continued employment of the candidate.*

After the expiration of the employee's probationary term of employment, all criminal history information relating to the employee shall be destroyed by the Chief of University Police.

**SOURCE OF AUTHORITY:** Texas Education Code, Section 51.215; President; Vice President for Business Affairs

**CROSS REFERENCE:** None

**CONTACT FOR REVISION:** General Counsel

**FORMS:** None

## Staff Development

E-47.2

Original Implementation: September, 1990

Last Revision: ~~August 1, 2000~~ October 23, 2003

Opportunities for staff development shall be provided on a limited basis as funds designated for this purpose are available. Projects must be related to the employee's current University responsibilities or be directly related to skills or information relevant to a specific University job or position the employee is seeking that is within his/her career path. Typical staff development projects may include formal education such as short courses, seminars or college-level courses and/or training courses or seminars related to computers or other electronic or mechanical equipment.

The following should guide the preparation and approval procedure for staff development proposals.

1. Projects may be proposed and approved for non-faculty, full-time staff members, either classified or non-classified.
2. Any eligible employee, as defined in item 1 above may submit a proposal for either himself/herself or for an employee who reports to him/her.
3. Proposals, containing a detailed description of the project/program and estimated costs, must be submitted to the employee's immediate supervisor ~~on the "Staff Development Proposal" form for and routing-routed and for~~ approval through administrative channels to the appropriate vice president.
4. A copy of the proposal form showing the amount approved by the vice president must be attached to any travel request, voucher, etc., required for payment or reimbursement.

**SOURCE OF AUTHORITY:** President

**CROSS REFERENCE:** ~~None~~ Faculty/Staff Educational Assistance Plan, Policy E-65

**CONTACT FOR REVISION:** President

**FORMS:** ~~Staff Development Proposal (available in University Printing Services)~~ None

## **Bookstore Special Orders**

**F-3**

Original Implementation: Unpublished

Last Revision: ~~January 28, 2003~~ *October 23, 2003*

The University Bookstore will place special orders for students, faculty and staff for merchandise not in stock. Individuals desiring special order items, such as books, office supplies, etc., should contact the secretary in the Bookstore Manager's office for assistance. Upon receipt of special order merchandise by the Bookstore, the individual will be notified and payment can be made by cash, credit card (for personal merchandise) or by interdepartmental charge (for University merchandise).

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

**Cross Reference:** None

**Contact for Revision:** Manager of University Center Bookstore

**Forms:** None

## **Bookstore Textbook Orders**

**F-4**

Original Implementation: Unpublished

| Last Revision: ~~January 28, 2003~~ *October 23, 2003*

Every semester the Textbook Supervisor in the University Bookstore sends each academic department chair Textbook Information Forms, instructions for completion, and a list of adopted books with new editions in print. Required textbooks are selected and optional books are recommended by each department chair for the following semester. Approximate due dates for departmental selections to be returned to the University Bookstore are listed below.

1. Fall semester - March 21
2. Spring semester - October 25
3. Summer semesters - March 10

Following internal checks of textbook inventories, buy back quantities, and quantities sold in previous semesters, the Bookstore places purchase orders with publishers. If problems arise during the purchasing process, the Bookstore notifies the appropriate department chair and if necessary, new textbook selections are made.

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

**Cross Reference:** None

**Contact for Revision:** Manager of University Center Bookstore

**Forms:** None

## **Faculty/Staff Athletic Ticket Purchases**

**F-12**

Original Implementation: Unpublished

Last Revision: ~~August 1, 2000~~ *October 23, 2003*

University faculty, staff, retirees, their spouses and dependent children are entitled to purchase season tickets for home football ~~games and home~~, basketball *and volleyball* games at a reduced price. ~~Annually, s~~ *The faculty/staff season tickets include reserved seating for all regular season home football games and a pass for all regular season home basketball games (both men and women).* Season ticket applications are mailed to each faculty/staff member who purchased tickets the previous year. ~~Also, packets of applications are mailed to each departmental office for distribution to department members. This is done in order to contact as many new faculty/staff members as possible and to offer faculty/staff who did not purchase tickets the previous year a chance to do so.~~

~~The football portion of the faculty/staff season ticket is available only through the first home football game. After that date, passes can be purchased for basketball only. Faculty/staff season tickets are not honored during post-season play.~~

**SOURCE OF AUTHORITY:** Vice President for University Affairs

**CROSS REFERENCE:** None

**CONTACT FOR REVISION:** Director of Student *Affair*~~setivities~~

**FORMS:** None



## Guest Speaker

F-15

Original Implementation: July, 1980

Last Revision: ~~October 31, 2000~~ October 23, 2003

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~~
  - be. professional conferences sponsored directly by a university department; or
  - cd. 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.
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 ~~the~~ any University facility ~~to be used for the speaker's presentation must~~ shall be made to the appropriate University official at least forty-eight (48) hours before the time the event is scheduled to take place.
67. ~~If a guest speaker is~~ No guest speaker who is to be paid from University funds as consideration for his/her speech:
  - a. ~~shall be permitted to speak on the University campus~~ ~~the~~ unless the University facility in which the speech is to be delivered ~~must be~~ will be open to the public and the ; ~~including members of the news media, and;~~
  - b. The sponsoring organization must follow the Professional and Consulting Services policy when contracting ~~the~~ a speaker.
78. 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
- ~~e.-c.~~ materially disrupt or interfere with the normal activities of the University.

9. ~~No guest speaker may~~ *Guest speakers may not:*

- a. present material that is obscene or libelous; or
- ~~b.-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:** SFASU Webpages

**CONTACT FOR REVISION:** ~~Dean of Student Development~~ *Director of Student Affairs*

**FORMS:** None

## Mail Services

F-18

Original Implementation: September 1, 1965

Last Revision: ~~October 26, 1999~~ October 23, 2003

University policy and postal regulations govern the handling of mail.

1. The Stephen F. Austin State University (SFASU) Post Office is considered the official receiving point for all mail for University offices, departments, residence halls, and apartments.
2. ~~University departments and administrative offices will use the SFASU Post Office for all postal transactions. Departments will not be permitted to purchase or retain rolls or sheets of stamps unless written permission is obtained from the University President. A copy of the written permission will be filed in the SFASU Post Office.~~ *All SFASU mail is considered delivered when the Nacogdoches Post Office delivers it to the SFASU Post Office. A delivery notice will be written and boxed immediately for all accountable mail.*
3. ~~All SFASU mail is considered delivered when the Nacogdoches Post Office delivers it to the SFASU Post Office. A delivery notice will be written immediately for all accountable mail.~~ *SFASU Post Office staff will attempt to deliver incorrectly addressed mail. Mail addressed only to the University will be sent to the Business Office for proper routing.*
4. ~~SFASU Post Office staff will attempt to deliver incorrectly addressed mail. Mail addressed only to the University will be sent to the Business Office for proper routing.~~ *All outgoing mail requiring metered postage or mailed under SFASU permit must be University business and have a complete return address with "Stephen F. Austin State University", the department of origin and PO Box number. A completed postage IDT card must be attached to the mail to insure proper accounting of postal charges. The IDT card must also include total number of mail pieces when the SFASU permit indicia is used. All zip codes on presorted mail (bulk mailings) must be correct by using a USPS certified process to ensure accuracy at least once a year.*
5. ~~Post Office box numbers must be used on all correspondence. Mail not meeting USPS regulations will be returned to the originating department.~~
6. ~~All outgoing mail requiring metered postage or mailed under SFASU permit must be University business and have a complete return address with "Stephen F. Austin State University" and the department of origin. A completed postage IDT card must be attached to the mail to insure proper accounting of postal charges. Mail (other than Bulk Rate) must be received in the post office by 4:00 p.m. for dispatch the same day. Mail (other than presorted mail) must be received in the post office by 4:00 pm for dispatch the same day.~~
7. ~~Campus Mail is defined as mail related to University business and is delivered to campus boxes without postage. Mail addressed to USPA boxes 4600-4659, 7600-7650 and all personal mail requires postage.~~ *University departments and administrative offices will use*

*the SFASU Post Office for all postal transactions. Departments will not be permitted to purchase or retain rolls/sheets of stamps unless written permission is obtained from the University President. A copy of the written permission will be filed in the SFASU Post Office.*

- ~~8. All Campus Mail must be enclosed in a campus mail envelope or marked "CAMPUS MAIL" and have a return address, including department of origin. Campus Mail in plain envelopes without a return address will be returned to sender or delivered postage due.~~ *Post Office box numbers must be used on all correspondence.*
9. Campus Mail is defined as mail related to University business and is delivered to campus boxes without postage. Mail addressed to USPS boxes 4600-4659, 7600-7650 and all personal mail requires postage.
- ~~10. Retired faculty or staff members are permitted to retain a box at their own expense on a space available basis.~~ *All Campus Mail must be enclosed in a campus mail envelope or if in a sealed envelope, marked "Campus Mail" and have a complete university return address. Campus Mail without a return address will be returned to sender (if determinable) or delivered postage due.*
- ~~11. It is the responsibility of the Department to distribute, forward or return mail addressed to personnel within the Department.~~ *All residents of University owned housing must have a SFASU Post Office box and notify correspondents of the box number..*
- ~~12. SFASU Post Office observes the same holidays as the U.S. Post Office. Morning mail will be boxed on holidays not observed by the University but sales windows will be closed.~~ *Retired faculty or staff members are permitted to retain a box at their own expense on a space available basis.*
13. *It is the responsibility of each Department to distribute, forward or return mail addressed to personnel within or previously assigned to the Department.*
14. *SFASU Post Office observes the same holidays as the U.S. Post Office. Morning mail will be boxed on holidays not observed by the University but sales windows will be closed.*

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

**Cross Reference:** None

**Contact for Revision:** Manager of University Post Office

**Forms:** Postage IDT Card (available in the SFASU Post Office)

## Scholarship Disbursement

F-24

Original Implementation: March 9, 1988

Last Revision: ~~October 31, 2000~~ October 23, 2003

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, the ~~awarding~~ *award committee or department* selecting a scholarship recipient must send to the Financial Aid Office Scholarship Coordinator *a notification* ~~a completed "Disbursement Request Form" which~~ *that* contains the information listed below:

a. Name of scholarship

b. Account number

c. Recipient's name

d. Social security number *or campus ID*

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~~ *Account manager, date, department, and phone number, and date*

2. The department should provide any special criteria associated with the scholarship, such as:

a. ~~Is this a renewal scholarship?~~

~~b~~a. Must student be enrolled in a specific course, *minimum number of hours*, 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~~ *a financial aid adjustment will be made to reflect the additional scholarship offer,*  
*and notification sent.*

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~~ *ten business days before the first class day of each semester.:*

~~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 withdraws 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 Business Affairs

**Cross Reference:** None

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

~~Forms:~~ **Method of Notification:** Disbursement Request Form, *email or memo*

## Student Employment Center

F-26

Original Implementation: June 18, 1987

Last Revision: ~~August 1, 2000~~ October 23, 2003

1. Students seeking on-campus employment may visit the Student Employment Center (SEC) in the Counseling and Career Services Office or view on-line jobs located on the SEC (<http://www.sfasu.edu/ccs/studentemp/findjob.htm>); ~~ccsnet/sec/~~ web site. Students need to contact the employing department to apply for each position.
2. All students employed by the university are required to report to the SEC for employment eligibility and payroll processing within seventy-two (72) hours. It is the employing department's responsibility to instruct all student workers to report to the Student Employment Center within the stated time period. Students working College Work-Study positions must obtain a "College Work Study Permit" from the Financial Aid office each semester they intend to work. Once the necessary employment forms have been completed the student will be issued a "Student Employment Authorization" card.
3. The hiring department will complete and forward to the Student Employment Center the "Student Employment Authorization" card for all new hires. Rate changes, account changes, or terminations can be completed by the department on a tan "Student Employment Authorization" card. The supervisor or department head signature on the "Student Employment Authorization" card verifies that the supervisor or department head has determined that sufficient funds are available for payment of wages. *Terminations are made using the "Disable Administrative Account Request" form at URL <http://apache.sfasu.edu>.*
4. In the fall and spring semesters, student employees of the University will be restricted to no more than twenty (20) hours of work per week, unless approved by the *Provost and Vice President for Academic Affairs* or his/her designee, as indicated on the "Departmental Approval To Work More Than 20 Hours" form. This form may be obtained from the SEC office or website. To be eligible for employment on campus as student assistants, college work study employees, or for any other employment, students are required to carry a course load of at least six (6) semester hours during the time which the student is working. It is the employing department's responsibility to insure that student employees are enrolled for the required number of semester hours.
5. During the summer, students enrolled for three (3) or more hours of coursework can be employed for no more than twenty (20) hours per week *unless approved by the Provost and Vice President for Academic Affairs or his/her designee, as indicated on the "Departmental Approval To Work More Than 20 Hours" form. This form may be obtained from the SEC office or website.* Those students who do not attend school in the summer but have a reasonable expectation of being enrolled as SFASU students in the fall semester are eligible for employment up to forty (40) hours per week in the summer. Reasonable expectation for a new student would include being accepted by the Office of Admissions.

6. Departments will select hourly paid student employees and determine pay rates according to the following five position grades. Pay scales are determined by the student's level of experience and skill.

Position Grade 1. Student work requiring no previous training or experience; duties can be learned readily under proper supervision; work may relate directly to the academic program of the University or to the maintenance of facilities and services. (Example: office clerks, sales clerks, service personnel).

Pay step	1	2	3
Hourly Rate	\$5.15	\$5.40	\$5.94

Position Grade 2. Student work requiring some college course work, related experience and/or technical training; continuing supervision not required; positions concerned directly with the academic program of the University requiring completion of some academic work for the position. (Example: typists, stenographers, student craftsmen, student graders)

Pay Step	1	2	3
Hourly Rate	\$5.65	\$5.95	\$6.55

Position Grade 3. Student work requiring the supervision or counseling of other students; ordinarily requiring the skills, training, and judgment essential for the adequate supervision of others working in the maintenance or academic functions of the University. (Example: full supervision of student work, supervisors of facilities, services, or personnel)

Pay Step	1	2	3
Hourly Rate	\$6.20	\$6.50	\$7.15

Position Grade 4. Student work requiring such professional or technical skills that only advanced students may perform such duties. Position Grade 4 work cannot be performed by students in other position grade classifications.

Pay Step	1	2	3
Hourly Rate	\$7.75	\$8.50	\$9.35

Position Grade 5. For student employment not meeting the above four pay grade specifications the department should contact the Student Employment Center.

7. Employment openings requiring services of Stephen F. Austin State University students shall be placed with the Student Employment Center and/or the employing department for at least three business days before the employing department recommends appointment of a candidate to fill the opening. It is the employing department's responsibility to insure that student job openings are listed for the required number of business days.



If an employment emergency occurs requiring the immediate services of a student worker, the three-day posting requirement can be waived. The employing department must contact the Student Employment Center the next business day after the emergency occurred and provide documentation justifying the emergency. Lack of planning is not justifiable cause for an exception to the three-day posting requirement.

College Work-Study (CWS) is a federally-funded program designed to provide financial aid to those students choosing to earn a portion of their educational expenses. The Student Financial Aid Office determines the student's eligibility for CWS employment in accordance with established federal guidelines. Departments allocated CWS funds should be aware of the following procedures:

1. The College Work-Study Program is a form of student employment and is therefore subject to the conditions outlined above.
2. To be eligible for the CWS program, the student must first complete the financial aid application for need-based aid by the established deadline. If the results of the need analysis indicate the student is eligible for CWS, and the student expresses an interest in the program, the Financial Aid Office will make the award accordingly.
3. The student must reapply for CWS each academic year. If the student wishes to be employed through the CWS program in the summer, he/she must request that the Financial Aid Office review his/her file for eligibility in the preceding spring semester.
4. Before beginning employment, each student must present to the employing department a "Work-Study Permit" secured from the Financial Aid Office. The permit will indicate the maximum amount of money the student may earn for a given period of employment by the University on a college work-study account. It is important to note that this amount is the maximum amount that can be paid from a CWS budget. It is the employing department's responsibility to control the hours worked by the CWS personnel to be absolutely certain that the student does not earn more than the amount of money allowed from CWS funds.

Once the student has earned the amount of his/her CWS award, the department must terminate the student from their CWS account. If the student exceeds his/her eligibility amount, the excess must be considered an "over-award" for financial aid purposes. An over-award means that the student's current financial aid package will be adjusted to compensate for the over-award and/or his/her future financial aid package will be adjusted accordingly. After the student has been terminated from CWS employment, the department may re-employ the student on their departmental account.

It is recommended that departments do not employ CWS students on their CWS and department accounts simultaneously. They should first exhaust their CWS allotment funds and then appoint the student to their departmental account.

5. A fall "Work-Study Permit" allows the student to work from August through December. A spring "Work-Study Permit" allows the student to work from December through May. A summer

"Work-Study Permit" allows the student to work from May through August. (The division between the summer sessions is determined by the University's summer calendar.) Exact dates vary from year to year.

6. All time sheets for CWS employees must be signed by the student and the employing department head. The department head is the only official authorized to verify the time worked by the student.

7. If questions arise concerning the College Work-Study Program, call the Financial Aid Office at 468-2403.

Foreign Students. If questions arise, call the Student Employment Center, 468-3305. In general, the Immigration Service permits foreign students to be employed under the same regulations as other students.

Graduate Assistantships. For employment status see the Personnel Services office.

Nepotism. University policy regarding nepotism applies to student employment. (See Nepotism policy.)

**Source of Authority:** Immigration Reform and Control Act of 1986 8 U.S.C. sec. 1101 et seq., 42 U.S.C. sec. 2751 et seq.; President; Vice President for University Affairs

**Cross Reference:** Nepotism, E-33

**Contact for Revision:** Director of Counseling and Career Services

**Forms:** Student Employment Authorization (issued by the Student Employment Center), College Work Study Permit (issued by Financial Aid), Departmental Approval To Work More Than 20 Hours (issued by the Student Employment Center).

## Student ID Cards

F-27

Original Implementation: Unpublished

Last Revision: ~~October 26, 1999~~ October 23, 2003

Student identification cards are made during registration at a cost of \$5. *Students must show a valid picture ID to obtain their first SFA ID card.* Cards made after registration and replacement cards are made in the *University Center, Room #110 of the* Reservations Office ~~in the University Center~~ at a cost of \$5 per card.

The cards are used for the following purposes:

1. The Mag strip on the back of the card allows the designated student access to the cafeterias and access into the residence halls after hours *and access to Jack Bucks account, if applicable.*
2. The card allows SFASU students admission into regular season home football and basketball games.
3. Certain performances in the Fine Arts Department and Student Activities are sold at a discount price to students with ID cards.
4. The card is required for identification to purchase items by check and for book buy-back in the University Center Bookstore.
5. The validation sticker placed on the front of the card upon payment of semester fees is required to enter the Health and Physical Education building and Wellness Center.
6. The Computer and Spanish Labs require the deposit of the ID card to use diskettes and tapes.
7. The University Center Games area requires the deposit of the card for use of certain games.
8. The Business Office requires presentation of ID cards to claim payroll checks.

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

**Cross Reference:** None

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

**Forms:** None

## Ticket Office Services

F-30

Original Implementation: May 6, 1985

Last Revision: ~~August 1, 2000~~ October 23, 2003

*The services of the SFA Ticket Office are primarily for the use of campus organizations, both student and non-student, as well as campus departments, both academic and non-academic, for the sale of tickets for any event sponsored by that organization or department. Services may be offered to non-university groups if there is a benefit to students and/or employees. There may be a fee charged for services provided to non-university groups. Any other event sponsored by one of the eligible groups that involves any type of revenue (i.e., trip sign-ups) can also be offered through the Ticket Office.*

*An "eligible group" is any group having a University account for depositing revenue. Evidence of a University account is taken as proof that the department or organization is recognized by the University.*

*To request use of the Ticket Office services, an official representative of the organization, department or group making the request of the eligible group must complete a Consignment Ticket Agreement Office Service Request form. The Ticket Office Manager will notify the representative if the request is approved and when tickets can be delivered for sale. at the time tickets are delivered to be sold. The request for service must be made at least 24 hours is form should be completed in the presence of the Ticket Office Manager at least one (1) day prior to the time sales are requested to begin. Tickets should go on sale no earlier than three (3) weeks prior to an event.*

*Once tickets are delivered for sale, tAn Event Information Sheet should also be completed at that time so questions regarding the event can be answered by Ticket Office personnel. The number of tickets consigned left with Ticket Office personnel must be verified and agreed upon by the group representative and the Ticket Office Manager. Tickets should go on sale no earlier than three (3) weeks prior to the event.*

For general admission events, tickets must be consecutively numbered. For reserved seat events, tickets must be accompanied by a seating plan (chart). Prices must be printed on the face of the ticket.

The Ticket Office is responsible only for the number and type of tickets it accepts. Deposits will be made into a University account. *Payments for tickets sold for groups without university accounts will be made by university check. and copies of the receipts will be made available upon request.*

*All cash revenues must be deposited into the University account indicated on the Ticket Office Service Request form. If desired, the group representative may receive an accounting of advance sales at 4:30 p.m. on the day of the event. If a summary of sales is needed on a more regular basis, this should be indicated on the Ticket Office Service Request form. Final accounting will*

take place within two (2) working days following the event. A final Ticket Office statement will be provided to the *official representative of the* group upon request.

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

**Cross Reference:** None

**Contact for Revision:** Director of Student Affairs ~~activities~~

**Forms:** *Consignment Ticket Agreement* ~~None~~

## Vending

F-31

Original Implementation: Unpublished

Last Revision: ~~August 1, 2000~~ October 23, 2003

*The Food and Beverage Vending Machines located on campus are the responsibility of the respective contract vendors. The operation of vending machines for goods or services available on the University campus is the responsibility of the Vending Department. This responsibility shall include furnishing, servicing and maintaining machines, purchasing goods for resale, and collecting funds. These Vendors in Department, under the guidance of the Director of Auxiliary Services, shall routinely place vending machines in locations it deems desirable and economical, including academic buildings. Specific exceptions to this policy are:*

1. Coin-operated copy machines, which are the responsibility of the individual department;
2. Postage stamp machines, which are the responsibility of the SFASU Post Office; and,
3. Coin-operated game machines, which are the responsibility of the University Center Games Area.

Other exceptions or requests shall be considered on an individual basis, and should be addressed in writing to ~~the Director of Auxiliary Services for recommendation of approval/disapproval by~~ the Vice President for University Affairs.

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

**Cross Reference:** None

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

**Forms:** None