

# **Stephen F. Austin State University**

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



**Nacogdoches, Texas  
October 17 and 18, 2011  
Volume 271**

**TABLE OF CONTENTS**  
**BOARD MINUTES FOR OCTOBER 17-18, 2011**  
**MEETING 271**

Page

**APPROVAL OF MINUTES**

Board Order 12-01

Approval of July 18 and 19, 2011 Board Minutes.....	3
---	---

**PERSONNEL**

Board Order 12-02

Faculty Appointments for 2011-2012.....	3
Staff Appointments for 2011-2012 .....	5
Changes of Status for 2011-2012.....	7
Retirements .....	11
Tenure .....	11

**ACADEMIC AND STUDENT AFFAIRS**

Board Order 12-03

Approval of Small Size Class List for Summer and Fall 2011 .....	12
European Studies Consortium.....	12
Approval for Transfer of Biotechnology Program into Department of Biology .....	12
Academic and Student Affairs Policy Revisions .....	13

**BUILDING AND GROUNDS**

Board Order 12-04

Antenna Lease Contract with New Cingular Wireless PCS .....	13
Parking Garage Equipment Replacement .....	13

**FINANCIAL AFFAIRS**

Board Order 12-05

Grant Awards .....	14
Establishment of a Quasi-Endowment for the College of Liberal and Applied Arts .....	14
Establishment of a Quasi-Endowment from the Norman H. Kiess Estate Bequest.....	15
Financial Affairs Policy Revisions .....	15
Approval of the Annual Audit Plan, Audit Charter and Report .....	15

Board Order 12-06

Merit Payment for Stephen F. Austin State University Faculty and Staff.....	16
---	----

## **BOARD RULES AND REGULATIONS**

### Board Order 12-07

Revisions to Board Rules and Regulations.....	16
---	----

## **REPORTS**

President

Audit Services Report

Faculty Senate

Student Government Association

Board Special Committee for Athletic Attendance

## **APPOINTMENT OF 2012 BOARD NOMINATING COMMITTEE**

## **MINUTES FOR APPROVAL**

July 18 and 19, 2011, Board Meetings

## **APPENDICES**

Appendix 1 – Small Size Class List for Summer and Fall 2011

Appendix 2 – Grant Awards

Appendix 3 – Audit Charter

Appendix 4 – Board Rules and Regulations

Appendix 5 – Policy Revisions

Academic and Student Affairs Committee:

Academic Curricula Review and Approval (A-4)

Accessibility for Persons with Disabilities (F-16)

Computer and Network Security (D-8.1)

Discontinuance of Program (A-74) NEW

Information Security for Portable Devices (D-58) NEW

Substantive Change (A-70)

Tenure (E-50A)

Tuition Rebate (C-50)

Finance and Audit Committee:

Best Value Procurement (C-7)

Financial Exigency (C-63) NEW

Gift Reporting (C-15)

Investments (C-41)

Professional and Consulting Services (C-45)

Travel (C-49)

**Stephen F. Austin State University  
Minutes of the Meeting of the Board of Regents  
Nacogdoches, Texas  
October 17 and 18, 2011  
Austin Building 307  
Meeting 271**

**Monday, October 17, 2011**

The regular meeting of the Board of Regents was called to order in open session at 8:14 a.m. on Monday, October 17, 2011, in the Austin Building Board Room by Chair Bob Garrett.

**PRESENT:**

Board Members:        Mr. Bob Garrett, Chair  
                              Mr. Carlos Amaral  
                              Dr. Scott Coleman  
                              Mr. James Dickerson  
                              Ms. Sarah Feye  
                              Ms. Brigettee Henderson  
                              Mr. Steve McCarty  
                              Mr. Ken Schaefer  
                              Mr. Ralph Todd  
                              Ms. Connie Ware

President:                Dr. Baker Pattillo

Vice-Presidents:       Dr. Richard Berry  
                              Mr. Danny Gallant  
                              Mr. Steve Westbrook

General Counsel:       Mr. Damon Derrick

Other SFA administrators, staff, and visitors

Chair Garrett called for an executive session to consider the following items:

Consideration of Individual Personnel Matters Relating to Appointment, Employment, Evaluation, Assignment, Duties, Discipline, or Dismissal of an Officer or Employee, including but not limited to men's basketball coaches, executive director of marketing and public affairs, vice presidents and the president. (551.074)

Deliberations Regarding Negotiated Contracts for Prospective Gifts or Donations (551.073)

Consultation with Attorney Regarding Legal Advice or Pending and/or Contemplated Litigation or Settlement Offers including, but not limited to, reported complaints, EEOC filings, tenure, Regents Rules and Regulations, intercollegiate athletics and intellectual property. (551.071)

The board reconvened in open session at 11:48 and recessed for lunch, moved back into executive session following the lunch break and reconvened in open session at 4:15 p.m., recessing for committee meetings.

*The Finance and Audit Committee met from 4:23 p.m. to 4:35 p.m. The Building and Grounds Committee met from 4:35 p.m. to 4:47 p.m. The Finance and Audit Committee met again from 4:47 p.m. to 5:18 p.m. The Academic and Student Affairs Committee met from 5:18 p.m. to 6:16 p.m.*

The board meeting reconvened in open session at 6:16 p.m. and recessed for the evening at 6:25 p.m. with no further action.

### **Tuesday, October 18, 2011**

The chair reconvened the board meeting in open session at 9:10 a.m. on Tuesday, October 18, 2011.

#### **PRESENT:**

Board Members:      Mr. Bob Garrett, Chair  
                             Mr. Carlos Amaral  
                             Dr. Scott Coleman  
                             Ms. Sarah Feye  
                             Ms. Brigettee Henderson  
                             Mr. Steve McCarty  
                             Mr. Ken Schaefer  
                             Mr. Ralph Todd  
                             Ms. Connie Ware

President:              Dr. Baker Pattillo

Vice-Presidents:      Dr. Richard Berry  
                             Mr. Danny Gallant  
                             Mr. Steve Westbrook

General Counsel:      Mr. Damon Derrick

Other SFA administrators, staff, and visitors

Regent James Dickerson was absent due to illness.

Regent Ken Schaefer led the pledge to the flags and Regent Todd provided the invocation.

## **RECOGNITIONS**

Dr. Ric Berry introduced faculty from the College of Liberal Arts who hosted a Transatlantic Conference with the University of St. Thomas in Houston and grant recipients in the Perkins College of Education. Dr. Steve Westbrook introduced Students in Service, the Parents Day planning team, Peer Involvement Advisors, and the SFA Veterans Workgroup.

## **APPROVAL OF MINUTES**

### **BOARD ORDER 12-01**

Upon motion by Regent McCarty, seconded by Regent Coleman, with all members voting aye, it was ordered that the minutes of the July 18 and 19, 2011 regular meeting of the Board of Regents be approved as presented.

## **PERSONNEL**

### **BOARD ORDER 12-02**

Upon motion by Regent Amaral, seconded by Regent Ware, with all members voting aye, it was ordered that the following personnel items be approved:

### **FACULTY APPOINTMENTS FOR 2011 – 2012**

#### **BUSINESS**

Geralyn Franklin, Associate Dean of the Rusche College of Business, Ph.D. (University of North Texas), at an annual salary of \$126,000 for 100 percent time, effective September 1, 2011.

Marie Kelly, Lecturer of Accounting, M.B.A. (Stephen F. Austin State University), at an academic year salary of \$40,000 for 100 percent time, effective September 1, 2011.

#### **EDUCATION**

Adam Akerson, Instructor of Elementary Education, M.Ed. (Lamar University), at an academic year salary of \$50,000 for 100 percent time, effective September 1, 2011, contingent upon completion of doctorate by May 31, 2012.

Todd Barrios, Clinical Instructor of Human Sciences, M.S. (Northwestern State University), at an academic year salary of \$48,000 for 100 percent time, effective September 1, 2011.

Susan Casey, Assistant Professor of Elementary Education, Ed.D. (North Texas University), at an academic year salary of \$51,000 for 100 percent time, effective September 1, 2011.

Adrian Decker, Visiting Instructor of Elementary Education, M.Ed. (Texas A&M University), at an academic year salary of \$40,000 for 100 percent time, effective September 1, 2011.

Nina Ellis-Hervey, Assistant Professor of Human Services, Ph.D. (Oklahoma State University), at an academic year salary of \$62,000 for 100 percent time, effective September 1, 2011.

Tracy Hallak, Instructor of Human Services, M.Ed. (Stephen F. Austin State University), at an academic year salary of \$48,000 for 100 percent time, effective September 1, 2011.

Natalie Hensarling, Assistant Professor of Human Sciences, M.S. (Stephen F. Austin State University), at an academic year salary of \$55,000 for 100 percent time, effective January 1, 2012, contingent upon completion of doctorate by May 31, 2012.

Carolyn Stuft, Instructor of Elementary Education, M.Ed. (Stephen F. Austin State University), at an academic year salary of \$49,000 for 100 percent time, effective September 1, 2011, contingent upon completion of doctorate by May 31, 2017.

#### FINE ARTS

Eduardo Ortiz, Visiting Assistant Professor of Art, MFA. (Savannah College of Art and Design), at an academic year salary of \$42,000 for 100 percent time, effective September 1, 2011.

David Studwell, Visiting Assistant Professor of Theatre, MFA. (Purdue University), at an academic year salary of \$44,500 for 100 percent time, effective September 1, 2011.

#### LIBERAL AND APPLIED ARTS

Ronnie Michael Booker, Visiting Assistant Professor of History, Ph.D. (University of Tennessee), at an academic year salary of \$45,000 for 100 percent time, effective September 1, 2011.



Tom McKinney, Visiting Assistant Professor of History, Ph.D. (University of Houston), at an academic year salary of \$45,000 for 100 percent time, effective September 1, 2011.

Colin Snider, Visiting Assistant Professor of History, Ph.D. (University of New Mexico), at an academic year salary of \$45,000 for 100 percent time, effective September 1, 2011.

#### SCIENCES AND MATHEMATICS

Erin Fucik, Lab Coordinator of Biology, M.S. (Stephen F. Austin State University), at an academic year salary of \$35,000 for 100 percent time, effective September 1, 2011.

Shelley Hunt, Clinical Instructor of Nursing, M.S.N. (University of Texas) at an academic year salary of \$54,000 for 100 percent time, effective September 1, 2011.

Janet King, Clinical Instructor of Nursing, M.S.N. (University of Texas) at an academic year salary of \$54,000 for 100 percent time, effective September 1, 2011.

Kellie Morse, Clinical Instructor of Nursing, M.S. (Stephen F. Austin State University) at an academic year salary of \$42,000 for 100 percent time, effective September 1, 2011.

Justin Sullivan, Lab Coordinator of Biology, M.S. (Stephen F. Austin State University) at an academic year salary of \$35,000 for 100 percent time, effective September 1, 2011.

#### STAFF APPOINTMENTS FOR 2011 – 2012

##### ADMISSIONS

Lauren Garcia, Admissions Counselor, at an annual salary of \$32,150 for 100 percent time, effective August 1, 2011.

Vivian Kempt, Admissions Counselor, at an annual salary of \$32,150 for 100 percent time, effective August 1, 2011.

##### ATHLETICS

Cody Clark, Assistant Track Coach, at a 10.5 month salary of \$26,719 for 100 percent time, effective August 8, 2011.

Jeremy Hadar, Coordinator of Athletic Video Production, at an annual salary of \$45,000 for 100 percent time, effective August 15, 2011.

Daniel J. Kaspar, Head Men's Basketball Coach, approval of contract addendum to the existing three year contract, at an annual base salary of \$129,150 for 100 percent time, effective September 1, 2011.

Amber Lemke, Head Bowling Coach, at a 10.5 month salary of \$32,000 for 100 percent time, effective August 8, 2011.

Robert McDermand, Director of Athletic Academic Services, at an annual salary of \$47,000 for 100 percent time, effective July 18, 2011.

Eleanor Meek, Assistant Track Coach, at a 10.5 month salary of \$25,783 for 100 percent time, effective September 1, 2011.

Kelly Tarrant, Assistant Soccer Coach, at a 10.5 month salary of \$24,720 for 100 percent time, effective July 25, 2011.

#### COUNSELING AND CAREER SERVICES

Jennifer Klingenberg, Counselor, at an annual salary of \$40,000 for 100 percent time, effective July 25, 2011.

John Mlinar, Career Counselor and Research Coordinator, at an annual salary of \$40,000 for 100 percent time, effective August 15, 2011.

#### EDUCATION

Jennifer Bailey, Associate Director for Project ENLACE in Secondary Education, at an annual salary of \$65,000 for 100 percent time, effective September 1, 2011.

Sandra Delgado, Associate Projector Director for CTE Grant in Human Sciences, at an annual salary of \$75,000 for 100 percent time, effective June 16, 2011.

Lori Hines, Teacher in Charter School, at an academic year salary of \$52,500 for 100 percent time, effective September 1, 2011.

Kelly Jobe, Clinical Audiologist in Human Services, at an annual salary of \$74,000 for 100 percent time, effective August 1, 2011.

Claire Miller, Teacher in Charter School, at an academic year salary of \$37,200 for 100 percent time, effective September 1, 2011.

#### FORESTRY AND AGRICULTURE

Christopher Koffskey, Beef Farm Supervisor, at an annual salary of \$38,802 for 100 percent time, effective July 11, 2011.

Zushang Su, Research Associate Medicinal Plants, at an annual salary of \$32,000 for 100 percent time, effective July 25, 2011.

#### MULTICULTURAL AFFAIRS

Amanda Flores, Assistant Director of Multicultural Center, at an annual salary of \$38,000 for 100 percent time, effective July 25, 2011.

#### RESIDENCE LIFE

Kayla Bankhead, Hall Director, at an annual salary of \$28,000 for 100 percent time, effective August 15, 2011.

Erica Crafton, Hall Director, at an annual salary of \$28,500 for 100 percent time, effective August 15, 2011.

Hayley Landry, Hall Director, at an annual salary of \$28,000 for 100 percent time, effective August 15, 2011.

#### SCIENCES AND MATHEMATICS

Mary Childs, Research Associate STEM Center, at an annual salary of \$38,000 for 100 percent time, effective September 1, 2011.

#### CHANGES OF STATUS FOR 2010 – 2011

##### ACADEMIC AFFAIRS

Mary Nelle Brunson, from Associate Vice President for Academic Affairs at an annual salary of \$135,000 for 100 percent time, to Associate Provost and Dean of the Graduate School at an annual salary of \$135,000 for 100 percent time, effective August 1, 2011.

##### ATHLETICS

Alexis Majors, from Academic Advisor in the College of Business at an annual salary of \$35,000 for 100 percent time, to Athletic Academic Services Assistant at an annual salary of \$36,000 for 100 percent time, effective July 19, 2011.

Nathan Schneider, from Athletic Academic Services Assistant at an annual salary of \$35,000 for 100 percent time, to Athletic Academic Services Assistant with

additional duties at an annual salary of \$40,000 for 100 percent time, effective September 1, 2011.

#### BUSINESS

Carl Dunn, from Instructor of General Business at an academic year salary of \$33,000 for 100 percent time, to Lecturer of General Business at an academic salary of \$33,000 for 100 percent time, effective September 1, 2011.

Laura Turner, from Financial Aid Officer at an annual salary of \$35,477 for 100 percent time, to Academic Advisor at an annual salary of \$36,000 for 100 percent time, effective August 22, 2011.

Carol Wright, from Lecturer of General Business at an academic year salary of \$37,000 for 100 percent time, to Instructor of General Business at an academic year salary of \$37,000 for 100 percent time, effective September 1, 2011.

#### DISABILITY SERVICES

Daphne Curl, from Disability Services Exam Coordinator at an annual salary of \$38,813 for 100 percent time, to Testing Services Manager at an annual salary of \$45,000 for 100 percent time, effective August 22, 2011.

#### EDUCATION

Sandra Delgado, from Associate Project Director CTE in Human Sciences at an annual salary of \$75,000 for 100 percent time, to Associate Project Director CTE in Human Sciences at an annual salary of \$75,000 for two months, effective September 1, 2011.

Delbert Lloyd Graves, from Adjunct Faculty in Kinesiology and Health Science at a 5-month salary of \$9,167 for 92 percent time, to Visiting Lecturer of Kinesiology and Health Science at an academic year salary of \$45,000 for 100 percent time, effective September 1, 2011.

Gloria Gresham, from Associate Professor of Secondary Education at an academic year salary of \$54,794 for 100 percent time, to Associate Professor of Elementary Education at an academic year salary of \$57,244 for 100 percent time, effective September 1, 2011.

Tracey Hasbun, from Instructor of Elementary Education at an academic year salary of \$47,411 for 100 percent time, to Co-Coordinator NCATE and Instructor of Elementary Education at an annual salary of \$47,411 with an additional \$500 per month stipend for 12 months, effective September 1, 2011.

Stacy Hendricks, from Project Coordinator CERT Prep and Project Director Deep East Texas at an annual salary of \$61,000 for 100 percent time, to Assistant Professor of Secondary Education at an academic year salary of \$51,300 for 100 percent time, effective September 1, 2011.

Jennifer Kennon, from Lecturer of Human Services at an academic year salary of \$43,500 for 100 percent time, to Instructor of Human Services at an academic year salary of \$45,357 for 100 percent time, effective September 1, 2011.

Michael Munro, from Clinical Instructor of Human Services at an academic year salary of \$48,549 for 100 percent time, to Instructor of Human Services at an academic year salary of \$48,549 for 100 percent time, effective September 1, 2011.

Tara Ann Newman, from Assistant Professor of Human Sciences at an academic year salary of \$47,895 for 100 percent time, to Assistant Professor of Human Sciences and Director QEP at an academic year salary of \$47,895 for 100 percent time with an additional \$803.33 per month stipend for nine months, effective September 1, 2011.

Emily Wilson, from Teacher in Early Childhood Laboratory at an annual salary of \$38,984 for 100 percent time, to Master Teacher in Early Childhood Laboratory at an annual salary of \$46,732 for 100 percent time, effective July 21, 2011.

#### ENVIRONMENTAL HEALTH, SAFETY AND RISK MANAGEMENT

Sonja Hendry, from Contracting Specialist in Procurement at an annual salary of \$38,736 for 100 percent time, to Safety Officer at an annual salary of \$47,000 for 100 percent time, effective August 15, 2011.

#### FINE ARTS

Jackie Rosenfield, from Visiting Lecturer in Theatre at an academic year salary of \$38,000 for 100 percent time, to Senior Lecturer in Theatre at an academic year salary of \$38,000 for 100 percent time, effective September 1, 2011.

Christopher Talbot, from Associate Professor of Art, at an academic year salary of \$56,673 for 100 percent time, to Interim Director of the School of Art and Associate Professor of Art, at an annual salary of \$56,673 for 100 percent time with an additional stipend of \$6,797 for one month and \$500 per month for nine months, effective September 1, 2011.

#### INFORMATION TECHNOLOGY

Earl Forney, from Administrator Database II at an annual salary of \$48,000 for 100 percent time, to Administrator Database III at an annual salary of \$52,000 for 100 percent time, effective September 1, 2011.

#### LIBERAL AND APPLIED ARTS

Darrell McDonald, from Professor of Social and Cultural Analysis at an academic year salary of \$67,258 for 100 percent time, to Professor of Social and Cultural Analysis at an academic year salary of \$78,000 for 100 percent time, effective September 1, 2011.

Emmerentie Oliphant, from Associate Professor of Social Work at an academic year salary of \$58,794 for 100 percent time, to Associate Professor of Social Work and Master of Social Work Director at an 11 month salary of \$70,794 for 100 percent time, effective September 1, 2011.

#### ORIENTATION

Brooke Rodine, from Assistant Director of Orientation at an annual salary of \$38,813 for 100 percent time, to Director of Orientation at an annual salary of \$45,000 for 100 percent time, effective August 1, 2011.

#### PINEYWOODS AREA HEALTH EDUCATION CENTER

Randall Mark Scott, from Coordinator AHEC at an annual salary of \$34,421 for 100 percent time, to Interim Director AHEC at an annual salary of \$34,421 for 100 percent time with a \$1,000 per month additional stipend for interim duties for four months, effective September 1, 2011.

#### PRINTING SERVICES

Rebecca Galatas, from Administrative Assistant at an annual salary of \$28,427 for 100 percent time, to Interim Director of Printing Services at an annual salary of \$28,427 for 100 percent time with an additional stipend of \$400 per month for 12 months for interim duties, effective September 1, 2011.

#### PUBLIC AFFAIRS

Robin Johnson, from Internal Communication Specialist at an annual salary of \$36,750 for 100 percent time, to Publication Specialist at an annual salary of \$39,500 for 100 percent time, effective June 20, 2011.

Shirley Luna, from Associate Director of Media Relations at an annual salary of \$63,502 for 100 percent time, to Interim Executive Director of Public Affairs at

an annual salary of \$63,502 for 100 percent time with an additional monthly stipend of \$2,000 for two months in FY2011 and 12 months in FY2012, effective July 22, 2011,

Kayli Steger, from Marketing Communication Assistant at an annual salary of \$35,800 for 100 percent time, to Internal Communication Specialist at an annual salary of \$36,000 for 100 percent time, effective July 18, 2011.

#### SCIENCES AND MATHEMATICS

Angela Johnson, from Lab Coordinator of Biology at an academic year salary of \$35,285 for 100 percent time, to Lecturer of Biology at an academic year salary of \$38,500 for 100 percent time, effective September 1, 2011.

Tami Putnam, from Casual Employee in Nursing at a salary of \$19.80 per hour, to Project Coordinator in Nursing at an annual salary of \$41,200 for 100 percent time, effective August 2, 2011.

#### RETIREMENTS

The following retirements were accepted:

Julia Ballenger, Professor of Secondary Education, effective August 31, 2011.

Paul Blackwell, Director of Columbia Center, effective August 31, 2011.

Bobby Bryant, Professor of Human Services, effective August 31, 2011.

Mary Burton, Manager of ITS Operations, effective August 31, 2011.

Jean Eldred, Associate Professor of Communication and Contemporary Culture, effective July 31, 2011.

Donna Franklin, Safety Officer, effective August 31, 2011.

Janis Ritter, Director of Pineywoods Area Health Education Center, effective August 31, 2011.

Catherine Simkunas, Assistant Director Testing Services, effective August 31, 2011.

#### TENURE

Academic tenure was awarded to Dr. Geralyn Franklin, College of Business, effective fall semester, 2011.

## **ACADEMIC AND STUDENT AFFAIRS**

### **BOARD ORDER 12-03**

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

#### **APPROVAL OF SMALL SIZE CLASS LIST FOR SUMMER AND FALL 2011**

WHEREAS, board members considered the following: Texas Higher Education Coordinating Board rules require that all regular organized undergraduate classes with fewer than ten students enrolled and regular graduate classes with fewer than five students enrolled be approved by the Board of Regents. Under policies established by the THECB, such classes can only be taught for specific reasons, such as the course being needed for students to meet graduation requirements, etc. Courses for summer and fall 2011 are listed in Appendix 1.

THEREFORE, the summer and fall 2011 small class list was approved, as presented in Appendix 1.

#### **EUROPEAN STUDIES CONSORTIUM**

WHEREAS, board members considered the following: The European Studies Consortium (ESC) led by Stephen F. Austin State University is comprised of public and private institutions of higher education committed to the joint development and sponsorship of faculty and student program in and related to Europe. The aims of the ESC are to involve larger numbers of faculty and students in international and cross-cultural learning experiences related to Europe. Courses will be offered in consortial arrangements with enrollments from several campuses. In a given semester, enrollments of SFA students may be fewer than ten in an undergraduate class or fewer than five in a graduate class.

THEREFORE, the Board of Regents acknowledged and approved the small size classes that may result from participation in the European Studies Consortium.

#### **APPROVAL OF TRANSFER OF BIOTECHNOLOGY PROGRAM INTO THE DEPARTMENT OF BIOLOGY**

WHEREAS, board members considered the following: The Division of Biotechnology was created in 1995 as a stand-alone unit in the College of Sciences and Mathematics. It has been very productive in terms of graduating students and collaborating with the University of Texas Health Science Center in delivering the Master of Science in Biotechnology Curriculum. The size of the faculty and staff has remained quite small and the administration believes that merging the biotechnology program into the Department of Biology will achieve efficiencies and create new opportunities for collaborations within the College of Sciences and Mathematics.



THEREFORE, the Board of Regents approved the move the of biotechnology program into the Department of Biology.

#### ACADEMIC AND STUDENT AFFAIRS POLICY REVISIONS

The Board of Regents adopted the following policy revisions as presented in Appendix 5:

- Academic Curricula Review and Approval (A-4)
- Accessibility for Persons with Disabilities (F-16)
- Computer and Network Security (D-8.1)
- Discontinuance of Program (A-74) NEW
- Information Security for Portable Devices (D-58) NEW
- Substantive Change (A-70)
- Tenure (E-50A)
- Tuition Rebate (C-50)

### **BUILDING AND GROUNDS AFFAIRS**

#### **BOARD ORDER 12-04**

Upon motion by Regent McCarty, seconded by Regent Todd, with all members voting aye, it was ordered that the following Building and Grounds Affairs items be approved:

#### ANTENNA LEASE CONTRACT WITH NEW CINGULAR WIRELESS PCS

WHEREAS, board members considered the following: New Cingular Wireless PCS wishes to lease roof space to place a cellular antenna on the roof of Griffith Hall. The antenna will strengthen the cellular coverage for the campus community

THEREFORE, the Board of Regents approved the contract with New Cingular Wireless PCS to place a cellular antenna on the roof of Griffith Hall at an initial lease amount of \$60,000 annually, subject to periodic increases, for a maximum term of 26 years. The president was authorized to sign the lease contract.

#### PARKING GARAGE EQUIPMENT REPLACEMENT

WHEREAS, board members considered the following: The Student Center Parking Garage serves as a gateway to SFA for visitors and prospective students attending events in the student center and visiting other parts of campus. A reliable controlled access system is critical for effective management of daily event and contract parking. The existing equipment has become unreliable and requires replacement.

THEREFORE, the Board of Regents approved the replacement of the access control system in the Student Center Parking Garage at a cost not to exceed \$200,000. The source of funds will be University Affairs Renewal and Replacement. The president was authorized to sign any necessary contracts.

## FINANCIAL AFFAIRS

### BOARD ORDER 12-05

Upon motion by Regent Coleman, seconded by Regent Ware, with all members voting aye, the following Financial Affairs items were approved:

#### GRANT AWARDS

WHEREAS, board members considered the following:

*Fiscal year 2011* - The university received multi-year grant awards totaling \$45,823,555 (amended) that included funds allocable to fiscal year 2011. This includes \$121,984 in new awards since the last report. Of the multi-year total, grant awards allocable to fiscal year 2011 were \$19,042,283, an increase of \$112,226 since the last report.

*Fiscal year 2012* - To date, the university has received multi-year grant awards totaling \$38,599,157 that include funds allocable to fiscal year 2012. This includes \$2,779,666 in new awards since the last report. Of the multi-year total, grant awards allocable to fiscal year 2012 are \$13,121,491, an increase of \$3,633,189 since the last report.

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

THEREFORE, the above described grant awards were approved and ratified, including grant awards allocable to fiscal year 2011 that total \$112,226 and additional grant awards allocable to fiscal year 2012 that total \$3,633,189. This also included approval of a \$159,334 subaward to the Lone Star College System to coordinate statewide professional development activities for the Advanced Technical Credit project funded through the Texas Education Agency. The grant awards are detailed in Appendix 2.

#### ESTABLISHMENT OF A QUASI-ENDOWMENT FOR THE COLLEGE OF LIBERAL AND APPLIED ARTS

WHEREAS, board members considered the following: The university received a \$70,000 unrestricted gift for the College of Liberal and Applied Arts. The use of the funds may be designated by the university.

THEREFORE, the Board of Regents approved the establishment of a College of Liberal and Applied Arts Quasi-Endowment with the initial gift of \$70,000. The Quasi-Endowment will be used to support academic programs in the College of Liberal and Applied Arts.

## ESTABLISHMENT OF A QUASI-ENDOWMENT FROM THE NORMAN H. KIESS ESTATE BEQUEST

WHEREAS, board members considered the following: Norman H. Kiess served as an associate professor of physics at Stephen F. Austin College from approximately 1963-1966. He died on January 5, 2009. In his Last Will and Testament, he bequeathed a portion of his estate to Stephen F. Austin State University. The \$15,150 estate distribution was unrestricted. The use of the funds may be designated by the university.

THEREFORE, the Board of Regents approved the establishment of the Norman H. Kiess Faculty Quasi-Endowment with the estate distribution of \$15,150. The Quasi-Endowment will be used for faculty support in the physics department.

## POLICY REVISIONS

The Board of Regents adopted the following policy revisions as presented in Appendix 5:

- Best Value Procurement (C-7)
- Financial Exigency (C-63) NEW
- Gift Reporting (C-15)
- Investments (C-41)
- Professional and Consulting Services (C-45)
- Travel (C-49)

## APPROVAL OF ANNUAL AUDIT PLAN, AUDIT CHARTER AND REPORT

WHEREAS, the board members considered the following: According to the *Rules and Regulations of the Board of Regents*, the director of audit services shall annually submit information on the annual audit plan, work schedule and staffing plan to the president for his review and to the Board of Regents for their approval. The director shall submit an annual report as required by Art. 6252-5d, V.T.C.S., recodified at Government Code, Chapter 2101. The annual report shall be submitted to the president and the board for review prior to public dissemination.

In addition, the International Standards for the Professional Practice of Internal Auditing require the internal audit charter to be approved on an annual basis. It is included as Appendix 3.

THEREFORE, the Board of Regents approved the annual audit plan and report and the audit charter as presented.

#### **BOARD ORDER 12-06**

Upon motion by Regent Coleman, seconded by Regent Amaral, with all members voting aye, the following Financial Affairs item was approved:

WHEREAS, board members considered the following: Initiative #2 of the Stephen F. Austin Strategic Plan is to improve faculty and staff compensation, recognition and support. As a consequence of state funding reductions, the university was unable to award increases to base salary for fiscal year 2012. However, to recognize the value and achievements of the faculty and staff, the administration wishes to provide a one-time merit payments to deserving faculty and staff.

THEREFORE, the Board of Regents authorized the president to provide a one-time \$500 merit payment to eligible employees. Merit will be awarded based on university policy and employment status.

### **BOARD RULES AND REGULATIONS**

#### **BOARD ORDER 12-07**

Upon motion by Regent Coleman, seconded by Regent Schaefer, with all members voting aye, the proposed revisions to the *Rules and Regulations of the Board of Regents* were adopted as presented in Appendix 4.

### **REPORTS**

Baker Pattillo gave a report on the following topics:

- SFA Flag
- Southland Conference
- Homecoming
- Tyler Rose Parade
- Upcoming Dates
- London Band Trip

Gina Oglesbee gave a quarterly audit report on the following topics:

- TAC 202 Information Technology Security Review
- Travel Audit
- Follow-up Review of Outstanding Management Action Plans
- Update on Audit Plan

David Howard, chair of the faculty senate, gave a presentation on “Inspired Teaching.”

Sydni Mitchell, president of the Student Government Association, gave a report on the following topics:

- Veterans Resource Center Update
- Transportation on Campus
- Sustainability on Campus
- Student Center Advisory Board
- “What’s Your Big Idea for 2012?”

Steve McCarty introduced a report from the Board Special Committee for Athletic Attendance.

### **APPOINTMENT OF NOMINATING COMMITTEE**

Bob Garrett made the following appointments to the Board Nominating Committee for 2012: Chair Steve McCarty, James Dickerson and Ralph Todd.

The meeting was adjourned at 11:12 a.m.

## **Texas Higher Education Coordinating Board Rules Currently in Effect (9-2006)**

### **Chapter 5. Rules Applying to Public Universities and/or Health-Related Institutions of Higher Education in**

#### **Texas Subchapter B. Role and Mission, Tables of Programs, Course Inventory**

##### **§5.23 Definitions**

**§5.23.5** Organized classes--Classes whose primary mode of instruction is lecture, laboratory, or seminar.

**§5.23.8** Small classes--Undergraduate level classes with less than 10 registrations, and graduate level classes with less than five registrations.

##### **§5.26 Offering of Small Classes by Public Universities**

In accordance with **Texas Education Code, §51.403(d)**, public universities may offer organized small classes which:

**§51.403(d.1)** have been approved by the governing board of the university;

**§51.403(d.2)** is a required course for graduation (the course is not offered each semester or term, and, if canceled, may affect the date of graduation of those enrolled);

**§51.403(d.3)** is a required course for majors in this field and should be completed this semester (or term) to keep proper sequence in courses;

**§51.403(d.4)** is a course in a newly established degree program, concentration, or support area;

**§51.403(d.5)** is part of an interdepartmental (cross-listed) course taught as a single class by the same faculty at the same station, provided that the combined enrollments do not constitute a small class;

**§51.403(d.6)** is a first-time offering of the course;

**§51.403(d.7)** is class size-limited by accreditation or state licensing standards;

**§51.403(d.8)** is class size-limited by availability of laboratory or clinical facilities; or

**§51.403(d.9)** is voluntarily offered by a faculty member in excess of the institutional teaching load requirement and for which the faculty member receives no additional compensation.

**Source Note:** The provisions of this §5.26 adopted to be effective May 28, 2003, 28 TexReg 4124

**SMALL CLASSES  
SUMMER 2011**

<b>Course Information</b>							
<b>Section</b>			<b>Title</b>	<b>Number Enrolled</b>	<b>Credit Hour Value</b>	<b>Total Credit Hours</b>	<b>Texas Education Code Offering Compliance</b>
COU	533	001	Counseling Skills & Tech	4	3	12	§51.403 (d.3)
EPS	675	020	Special Problems	1	3	3	§51.403 (d.9)
GIS	464	001	GIS for Water Resources	5	3	15	§51.403 (d.6, 4)
GIS	464	001	GIS for Water Resources	5	3	15	§51.403 (d.6, 4)
GIS	564	001	GIS for Water Resources	1	3	3	§51.403 (d.6)
GIS	564	001	GIS for Water Resources	1	3	3	§51.403 (d.6)
PLS	317	001	Applied Agriculture Data Appl	5	2	10	§51.403 (d.2)
PLS	317	020	Applied Agriculture Data Appl	5	2	10	§51.403 (d.2)
CJS	213	001	Civil Procedure	8	3	24	§51.403 (d.3)
BIO	370	001	Evolution	8	3	24	§51.403 (d.2)
CHE	505	001	Advanced Chemical Concepts	4	3	12	§51.403 (d.2, 3)
MTH	311	001	Intro to Modern Mathematics	5	3	15	§51.403 (d.3)
MTH	098	001	Introductory Algebra	9	3	27	§51.403 (d.2)
PHY	410	001	Experimental Techniques in Phy	9	4	36	§51.403 (d.2)

Total Estimated Credit Hours in Small Classes	209
Total Estimated Credit Hours Summer 2011	22,062
Estimated Small Class Credit Hours as a Percentage of SFA Total Credit Hours	0.95%

Date: \_\_\_\_\_ Approval: \_\_\_\_\_

**SMALL CLASSES  
FALL 2011**

Course Information							
Section			Title	Number Enrolled	Credit Hour Value	Total Credit Hours	Texas Education Code Offering Compliance
CSC	342	001	Algorithm Analysis	9	3	27	§51.403 (d.2, 3)
CSC	442	001	Organization Programming Langs	7	3	21	§51.403 (d.2)
CSC	455	001	Enterprise Security	5	3	15	§51.403 (d.2, 4)
FIN	490	001	Student Invest Roundtable	6	3	18	§51.403 (d.4)
FIN	590	001	Adv Student Invest Roundtable	2	3	6	§51.403 (d.4)
EPS	675	001	Special Problems	4	3	12	§51.403 (d.9)
HMS	333	201	Apparel II	1	3	3	§51.403 (d.1)
KIN	200	017	Physical Fitness Training	7	2	14	§51.403 (d.9)
SPE	442	601	Visual & Multiple Imp	2	3	6	§51.403 (d.1)
KIN	200	017	Physical Fitness Training	7	2	14	§51.403 (d.9)
MUT	350	501	Multimedia Sound Techniques	5	3	15	§51.403 (d.2)
FOR	304	001	Arboriculture	8	3	24	§51.403 (d.3)
FOR	317	001	Forest Biometrics II	6	3	18	§51.403 (d.3)
FOR	347	001	Silviculture	6	3	18	§51.403 (d.3)
FOR	451	001	Mgmt of Outdoor Rec Area	7	3	21	§51.403 (d.2)
FOR	458	001	Forest Resource Mgmt	8	4	32	§51.403 (d.2)
HRT	325	001	Design Applic. Software I CAD	9	2	18	§51.403 (d.2)
HRT	325	020	Dsgn App. Software I CAD-Lab	9	1	9	§51.403 (d.2)
AAS	498	090	Senior Seminar	5	3	15	§51.403 (d.6)
MCM	456	001	Adv Television Production	8	3	24	§51.403 (d.2)
MCM	456	020	Adv Television Production	8	3	24	§51.403 (d.2)
MCM	478	001	Advanced Advertising I	6	3	18	§51.403 (d.6)
PSC	305	001	Appellate Advocacy I	1	3	3	§51.403 (d.9)
BIO	449	001	Animal Histology	8	4	32	§51.403 (d.2)
BIO	470	001	Seminar in Biology	8	1	8	§51.403 (d.2)
CHE	241	001	Inorganic Chemistry	7	3	21	§51.403 (d.2, 3, 9)
CHE	511	001	Advanced Organic Chemistry	4	3	12	§51.403 (d.2, 3, 9)
MTH	345	001	Math for the Sec Sch Teacher	3	3	9	§51.403 (d.2, 3, 9)
MTH	539	001	Real Analysis I	3	3	9	§51.403 (d.2, 3)
PHY	431	001	Intro to Quantum Mechanics	8	3	24	§51.403 (d.2)
STA	320	001	Statistical Methods	9	3	27	§51.403 (d.2)
STA	522	001	Regression Analysis	3	3	9	§51.403 (d.2, 3)
STA	525	001	Applied Nonparametric Stats	4	3	12	§51.403 (d.2, 3)

Total Estimated Credit Hours in Small Classes

538

Total Estimated Credit Hours Fall 2011

157,783

Estimated Small Class Credit Hours as a Percentage of SFA Total Credit Hours

0.34%



## Grants awarded between June 20, 2011 and September 19, 2011

## Summary Report – Fiscal Year 2011

**New Current Year Awards (this period) – as of August 31, 2011**

Subtotal direct federal	\$20,960
Subtotal federal pass-through	\$76,741
Subtotal state and state pass-through	\$ 2,000
Subtotal private and local government	\$12,525
<b>Total new awards (this period)</b>	<b>\$ 121,984</b>
<b>Total current year awards for grants active in 2011</b>	<b>\$19,042,283</b>
<b>Total awards (all years) for grants active in 2011</b>	<b>\$45,823,555</b>

*New, Additional, or Previously Unreported Awards for FY 2011***Direct Federal Awards*****\*Habitat Occupancy and Origins of American Woodcock Wintering in East Texas***

FY 2011 Award: \$12,960  
 Total Award: \$69,984 (Grant)  
 Sponsor: U.S. Department of the Interior - FWS  
 Term (this action): June 29, 2011 – December 31, 2012  
 Description: *The purpose of this grant is to “link habitat suitability, use and quality with American woodcock occupancy and density by large scale habitat-cover types during winter in East Texas” and to identify geographic linkages and connectivity between seasonal ranges through isotope analysis. PI/PD: Dr. Warren Conway, School of Forestry*

***\*More Bugs in the Woods (FY 11)***

FY 2011 Award: \$8,000  
 Total Award: \$8,000 (Challenge Cost-share Agreement)  
 Sponsor: U.S. Department of Agriculture (USFS)  
 Term (this action): June 22, 2011 – September 30, 2011  
 Description: *This partnership agreement adds conservation education programs, including iTREE and PollinatorLIVE!, supports the Latino Legacy Youth in Nature leadership Challenge, and provides assistance with weekend conservation education programs at Scott’s Ridge Recreation Area in the Sam Houston National Forest and the Jones State Forest in Conroe. PI/PD: Dr. David Kulhavy, School of Forestry*

***Subtotal Current Year Awards (this report) = \$20,960***  
***Subtotal New Direct Federal Awards (total award) = \$77,984***

## Grants awarded between June 20, 2011 and September 19, 2011

### **Federal Pass-through Awards**

#### ***\*Final Stretch Scholarship Grant Program***

FY 2011 Award: \$36,000  
 Total Award: \$36,000 (Grant)  
 Sponsor: TX Higher Education Coordinating Bd. (U.S. Dept. of Education)  
 Term (this action): May 1, 2011 – June 30, 2011  
 Description: *Final Stretch, provided through the federal College Access Challenge Grant, is a “one-time, need-based grant of \$2,000 for Pell grant eligible students who enroll in a summer 2011 term.”* PI/PD: Mike O’Rear, Financial Aid

### **Previously Described Awards**

#### ***State of Texas Special Education Recruitment and Retention (FY 11)***

FY 2011 Award: \$26,133 (additional award)    Total Award: \$35,000

#### ***Special Education Consolidated Grant (IDEA-B) FY 11***

FY 2011 Award: \$4,858 (additional award)    Total Award: \$30,108

#### ***Visually Impaired Preparation (VIP) Program FY 11***

FY 2011 Award: \$10,000 (additional award)    Total Award: \$497,000

#### ***MLK Day of Service FY 11***

FY 2011 Award: \$-250 (award reduction)    Total Award: \$750

***Subtotal Current Year Awards (this report) = \$76,741***

***Subtotal New Federal Pass-through Awards (total award) = \$36,000***

### **State and State Pass-through Awards**

#### ***\*Edge of Life: Forestry Pathology Art***

FY 2011: \$2,000  
 Total Award: \$2,000 (Grant)  
 Sponsor: Texas Commission on the Arts  
 Term (this action): April 1, 2011 – August 31, 2011  
 Description: *This grant provides funding for the transport and installation of the Edge of Life Exhibit, created with an SFA Faculty Research Grant and initially exhibited at the Cole Art Center, for an exhibit at the University of North Texas Eagle Exhibit Hall.* PI/PD: Dr. Michelle Rozic, School of Art and Dr. David Kulhavy, School of Forestry

***Subtotal Current Year Awards (this report) = \$2,000***

***Subtotal New State/State Pass-through Awards (total award) = \$2,000***



## Grants awarded between June 20, 2011 and September 19, 2011

### ***\*Environmental Availability of Lead and Use in Moist-soil Management to Attract Waterfowl on the Texas NWRs***

FY 2012 Award: \$46,907  
 Total Award: \$109,450 (Cooperative Agreement)  
 Sponsor: U.S. Department of the Interior - FWS  
 Term (this action): September 2, 2011 – December 30, 2013  
 Description: *Funds are provided to evaluate the environmental availability of lead shot, model impacts of lead exposure on the mottled duck population, and study various plant species in the Texas Midcoast National, the Texas Chenier Plain, and the Aransas National Wildlife Refuge complexes.* PI/PD: Dr. Warren Conway, School of Forestry

### ***\*50<sup>th</sup> Anniversary Video: McIntire-Stennis Cooperative Research Program***

FY 2012 Award: \$15,000  
 Total Award: \$15,000 (Grant)  
 Sponsor: U.S. Department of the Agriculture (NIFA)  
 Term (this action): August 15, 2011 – August 14, 2012  
 Description: *This award provides funds for the production of a digital video, "A Driving Force in Developing the Nation's Forests: The McIntire-Stennis Cooperative Forestry Research Program," that will highlight the McIntire-Stennis Program's history and significant accomplishments.* PI/PD: Dr. Steven Bullard, College of Forestry and Agriculture

### ***\*Protecting Cultural Resources at Glen Canyon NRA***

FY 2012 Award: \$22,500  
 Total Award: \$30,000 (Task Agreement)  
 Sponsor: U.S. Department of the Interior - NPS  
 Term (this action): August 31, 2011 – December 31, 2012  
 Description: *This project is to develop a Glen Canyon National Recreation Area/Rainbow Bridge National Monument strategy for the protection of cultural resources along the shoreline of Lake Powell, Utah.* PI/PD: Dr. Theresa Coble, School of Forestry

### **Previously Described Awards**

#### ***Habitat Occupancy and Origins of American Woodcock Wintering in East Texas***

FY 2012 Award:	\$51,624	Total Award:	\$69,984
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#### ***Orientation and Mobility for the Blind Training Program***

FY 2012 Award:	-\$4,000 (reduction)	Total Award:	\$496,000
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***Subtotal Current Year Awards (this report) = \$258,997***  
***Subtotal New Direct Federal Awards (total award) = \$1,604,446***

## Grants awarded between June 20, 2011 and September 19, 2011

### **Federal Pass-through Awards**

#### **\* *Visually Impaired Preparation (VIP) Program FY 12***

FY 2012 Award: \$487,000  
 Total Award: \$487,000 (Interagency Agreement - *renewal*)  
 Sponsor: Texas Dept. of Assistive and Rehabilitative Services  
 (U.S. Department of Education)  
 Term (this action): September 1, 2011 – August 31, 2012  
 Description: *SFA will prepare or begin to prepare 32 new professionals taking coursework leading to endorsement in visual impairment or Academy for Certification of Vision Rehabilitation and Education Professionals certification in Orientation and Mobility.* PI/PD: Dr. Dixie Mercer, Department of Human Services

#### **\* *Career and Technical Education State Leadership Project – ATC Professional Development Accountability System FY12***

FY 2012 Award: \$350,000  
 Total Award: \$350,000 (Grant - *continuing*)  
 Sponsor: Texas Education Agency (U.S. Dept. of Education)  
 Term (this action): September 1, 2011 – August 31, 2012  
Subawards: \$159,334 – *A subaward to the Lone Star College System (LSCS) is approved by the sponsor as part of the grant application. LSCS will provide Part II of the TEA required in-service teacher training, quarterly ATC Leadership Committee meetings, and the revision of the ATC Course Crosswalk for the 2012-13 school year.*  
 Description: *Funds are provided to continue support of the statewide Advanced Technical Credit (ATC) Program by determining and recording the eligibility of secondary teachers to teach courses for articulated college credit, facilitating secondary-to-postsecondary course alignment, and training of secondary subject-area teachers.*  
 PI/PD: Dr. Judy Abbott, College of Education

#### **\* *Child Welfare Professional Development Program FY 12***

FY 2012 Award: \$146,834  
 Total Award: \$146,834 (Interagency Agreement - *renewal*)  
 Sponsor: TX Dept. of Family and Protective Services (U.S. Dept. of Health and Human Services)  
 Term (this action): July 1, 2011 – June 30, 2012  
 Description: *The purpose of this federally funded program is to provide a staff development and training program that supports the goals in the Child and Family Services state plan for Title IV-E training, which include enhancing the skills of CPS workers through education in social work and providing opportunities for ongoing foster parent and staff training.* PI/PD: Becky Price-Mayo, School of Social Work

#### **\* *Geriatric Education Center (GEC) FY 12***

FY 2012 Award: \$21,600  
 Total Award: \$21,600 (Subcontract- *renewal*)  
 Sponsor: U.T. Medical Branch - Galveston (U.S. Dept. of Health and Human Services)

\*New awards

Prepared by the Office of Research & Sponsored Programs

### Grants awarded between June 20, 2011 and September 19, 2011

Term (this action): July 1, 2011 – June 30, 2012

Description: *The purpose of this federally sponsored program is to help provide high-quality, continuing education in geriatrics and to improve health care for older adults including those in rural communities.* PI/PD: Mark Scott, Piney Woods AHEC, College of Sciences and Mathematics

#### Previously Described Awards

##### ***Encouraging the College Bound into Healthcare Occupations (ECHO)***

FY 2011 Award:	\$33,949	Total Award:	\$35,435
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##### ***StateView Program Development and Operations for the State of Texas***

FY 2012 Award:	\$23,800	Total Award:	\$95,941
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***Subtotal Current Year Awards (this report) = \$1,063,183***

***Subtotal New Federal Pass-through Awards (total award) = \$1,005,434***

#### State and State Pass-through Awards

##### ***\* Piney Woods Area Health Education Center (AHEC) FY12***

FY 2012 Award: \$113,760

Total Award: \$113,760 (Contract - *renewal*)

Sponsor: U.T. Medical Branch - Galveston

Term (this action): September 1, 2011 – December 30, 2012

Description: *The purpose of this ongoing project is to build and maintain an integrated, community-based, regional organization to effectively and efficiently address and support achievements of East Texas AHEC objectives.* PI/PD: Mark Scott, Piney Woods AHEC, College of Sciences and Mathematics

##### ***\* Disability - Reader Services FY 12***

FY 2012 Award: \$16,000

Total Award: \$32,000 (Interagency Agreement - *renewal*)

Sponsor: TX Dept. Assistive & Rehabilitative Services

Term (this action): September 1, 2011 – December 30, 2013

Description: *Funds are provided for reader services for students with disabilities.* PI/PD: Chuck Lopez, Disability Services

##### ***\* State of Texas Assessments of Academic Readiness (STAAR) – Algebra II and English III***

FY 2012 Award: \$12,000

Total Award: \$12,000 (Interagency Contract)

Sponsor: Texas Higher Education Coordinating Board

Term (this action): August 1, 2011 – April 30, 2012

Description: *In coordination with Pearson LPC, SFA will identify and recruit up to 120 entering students who graduated from Texas public schools in the spring of 2011 to participate in a research study by administering the STAAR Algebra II and English III reading and writing assessments.* PI/PD: Chuck Lopez, Testing Services

*\*New awards*

*Prepared by the Office of Research & Sponsored Programs*

## Grants awarded between June 20, 2011 and September 19, 2011

### Previously Described Awards

#### ***Stephen F. Austin State University Charter School***

FY 2010 Budget:	\$1,846,267	Total to date:	\$6,418,418
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#### ***Systemic Texas Educator Preparation Sites (STEPS) for College and Career Readiness Demonstration Project***

FY 2012 Award:	\$262,500	Total Award:	\$825,000
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#### ***Disability Interpreter Services FY 12***

FY 2012 Award:	\$35,000	Total Award:	\$140,000
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#### ***Joint Admissions Medical Program (JAMP) FY 12***

FY 2012 Award:	\$13,456	Total Award:	\$29,457
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***Subtotal Current Year Awards (this report) = \$2,298,983***

***Subtotal New State/State Pass-through Awards (total award) = \$157,760***

### Private and Local Government Awards

#### ***\*Study Abroad Program to Montreal, Quebec and Ottawa, Ontario***

FY 2012 Award: \$10,226

Total Award: \$10,226 (Grant)

Sponsor: Department of Foreign Affairs and International Trade  
Government of Canada

Term (this action): May 17, 2011 – April 20, 2012

Description: *Funds from this Student Mobility Support Program are provided to support a significant study abroad experience that is imbedded in upper level courses at SFA for fifteen political science and/or French majors and minors. PI/PD: Dr. Steven Galatas, Department of Government and Dr. Joyce Johnston, Department of Modern Languages*

#### ***\*Tournées Festival Film Program***

FY 2012 Award: \$1,800

Total Award: \$1,800 (Grant - *renewal*)

Sponsor: French-American Cultural Exchange

Term (this action): September 1, 2011 – August 31, 2012

Description: *This award supports the screening of contemporary French cinema on the SFA campus. PI/PD: Dr. Joyce Johnston, Department of Modern Languages*

***Subtotal Current Year Awards (this report) = \$12,026***

***Subtotal New Private and Local Government Awards (total award) = \$12,026***

***Note:***

*\*New awards*

*Prepared by the Office of Research & Sponsored Programs*

**Grants awarded between June 20, 2011 and September 19, 2011**

- *Amounts are based on award notices as they are received from the funding agency, not expenditures or balances in funds/accounts. Some current year awards are estimates based on the total amount awarded spread over the award period.*
- *Does not include non-grant financial aid or gift accounts.*



**STEPHEN F. AUSTIN STATE UNIVERSITY  
DEPARTMENT OF AUDIT SERVICES  
INTERNAL AUDIT CHARTER  
October 18, 2011**

**Purpose**

Internal auditing is an independent, objective assurance and consulting activity designed to add value and improve the university's operations. It helps the university accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes.

The purpose of the Department of Audit Services is to provide the Board of Regents and the president an independent appraisal of the adequacy and the effectiveness of the university's system of internal administrative and accounting controls and the quality of performance when compared with established standards. The primary objective is to assist the Board of Regents, the president and university management in the effective discharge of their responsibilities.

**Authority**

The Department of Audit Services is an integral part of Stephen F. Austin State University and functions within established policies. The director of audit services reports functionally to the Board of Regents and administratively to the president.

The Department of Audit Services will have unrestricted access to all university activities; records, both manual and electronic; property; and personnel relevant to any area being reviewed. Members of the audit services' staff will handle all documents and other information acquired in the course of their duties prudently.

**Standards and Independence**

The department will operate within the guidelines of the Texas Internal Auditing Act (Article 6252 – 5d., V.A.C.S.), the Institute of Internal Auditors (IIA) Professional Practices Framework which includes the Definition of

Internal Auditing, the Code of Ethics, and the International Standards for the Professional Practice of Internal Auditing as mandatory guidance. In addition, where applicable the department will follow Generally Accepted Government Auditing Standards (GAGAS).

The department's internal auditors will uphold the principles of integrity, objectivity, confidentiality, and competency. Internal auditors will be independent of the activities or operations they review; they will not engage in any activity which would impair their independence.

### **Responsibility**

The Department of Audit Services will fulfill its responsibility to the board and the president by:

- developing an audit plan based on a risk analysis which includes consideration of the university's goals and objectives and the concerns of management and the board.
- providing audit coverage that consistently meets the needs and expectations of management
- following up on identified weaknesses, findings and recommendations from previous audit work
- participating in a program of quality assurance designed to ensure the increasing professionalism of the department and standard of the work performed
- performing consulting services including advisory and related service activities, the nature and scope of which are agreed upon and which are intended to add value and improve the university's governance, risk management, and control processes without assuming management responsibility. Examples include counsel, advice, facilitation, training, and committee service.

Annually the director of audit services will submit information on the annual audit plan, work schedule, and staffing plan to the president for his review and to the Board of Regents for their approval. Quarterly the director will provide activity reports to the president and the board detailing progress against the annual audit plan, audit accomplishments, and highlights of any significant audit findings and recommendations. The director of audit services will submit reports as required to the state auditor's office, governor's office, Legislative Budget Board and Sunset Advisory Commission.

The scope of audit activities will include all controls, reports and operations of the university. The Department of Audit Services will examine and evaluate:

- The reliability and integrity of financial and operating information and the means used to identify, measure, classify and report information.
- The systems established to ensure compliance with policies, plans, procedures, laws and regulations that could have a significant impact on the university.
- The means of safeguarding assets and verifying their existence.
- The economy and the efficiency with which resources are employed.
- The extent to which the operations and programs of the university are consistent with its objectives and goals.
- The ethics objectives and activities of the university.
- The potential for fraud and the management of fraud risk.

RULES AND REGULATIONS  
BOARD OF REGENTS  
STEPHEN F. AUSTIN STATE UNIVERSITY  
(Amended ~~December 18, 2009~~ *October 18, 2011*)

**1. Composition of Board**

The Board of Regents, Stephen F. Austin State University, is composed of nine members who are appointed by the governor of Texas, with the advice and consent of the senate. Three members of the board are appointed biennially to serve for terms of six years.

The board is charged with the responsibility of performing those duties which are delegated to it by the legislature. The board has no authority except as delegated to it by law.

Knowledge of the limitations of its authority is imputed to all persons, firms and corporations dealing with the board.

**2. Non-Voting Student Regent**

Annually on June 1, a student regent shall be appointed by the governor to serve a one-year term expiring on the following May 31. The student regent must be enrolled as an undergraduate or graduate student at Stephen F. Austin State University at the time of appointment and throughout the student regent's term. The student regent must remain in good academic standing and maintain at least a 2.5 GPA.

The student regent is not a member of the Board of Regents of Stephen F. Austin State University. The student regent has the same powers and duties as the members of the Board of Regents, including the right to attend and participate in meetings of the Board of Regents, except that the student regent may not vote on any matter before the board or make or second any motion before the board. The student regent is not counted in determining whether a quorum exists for a meeting of the board or in determining the outcome of any vote of the board.

**3. Office of the Board of Regents**

The Office of the Board of Regents is located in the Austin Building, Room 308. The mailing address is PO Box 13026 – SFA Station, Nacogdoches, TX 75962-3026. The office is staffed by the coordinator of board affairs.

#### **4. Setting of Meetings**

The Board of Regents shall convene annually in Nacogdoches, Texas, in the month of April, which meeting shall be known as the annual meeting.

All meetings of the board shall conform to the terms of the Texas Open Meetings Act, Ch. 551 Tex. Gov. Code. Regular meetings of the board shall be held quarterly at such time and place as a majority of the board shall determine. The board shall set regular quarterly meeting dates one year in advance, usually in January, April, July and October, which may be changed by consensus of the board due to unanticipated needs. Special meetings of the board may be called by the chair, or by a majority of the members of the board. Telephone conference meetings may be called when circumstances dictate that immediate action ~~would be in the best interest of the university~~ *is required or when* and it is difficult or impossible to convene a quorum in a single location. Telephone conference meetings shall be restricted to special meetings of the board.

All meetings of the Board of Regents shall be open to the public. Executive sessions of the board may be held with the consent of a majority of those members present and as authorized by law.

A majority of the members of the board *or committee membership* shall constitute a quorum. *Ex-officio members shall be counted for purposes of determining a quorum.* Proxies shall not be recognized. No formal action shall be taken by the board *or committee of the board* in the absence of a quorum.

#### **5. Designation of Officers**

The officers of the board shall include a chair, a vice chair, a secretary, and such other officers as may from time to time be elected or appointed.

#### **6. Election of Chair and Authorization of Duties**

At the January meeting of the board, and as the last order of business, there shall be elected from the membership of the board a chair, who shall take office at the start of business during the official, formal meeting of the full board in April and shall serve through the beginning of business at the formal meeting of the full board in April of the following year. *In the event the chair's term of office as regent expires prior to the conclusion of his/her service as chair, the chair-elect shall immediately take office upon such expiration and serve for the remainder of the previous chair's term and his/her elected term;*

*however if the chair is reappointed to a new term as regent, he/she shall complete the elected term of office.*

No member shall serve more than two consecutive *elected* terms as chair unless the members shall re-elect such member for each term after the two consecutive terms by a vote of at least six (6) members.

In the event of a chair's death or resignation, the vice chair shall serve as chair of the board until the next annual meeting.

The chair of the board shall preside at all meetings of the board which he/she attends.

He/she will be responsible for the agendas of the meetings of the board. He/she shall have the authority to call special meetings of the board, as herein provided. He/she shall be an ex officio member of all committees of the board *and shall be in addition to the membership prescribed in Section 9 of these Rules.* He/she shall deliver to each new board member immediately upon such person's appointment by the governor a copy of the regents' *Rules and Regulations* and a copy of the organization of principal administrative offices of the university.

Parliamentary procedure in board meetings will generally conform to *Roberts' Rules of Order, Newly Revised*, when not in conflict with board rules.

The chair shall, in the name of the board, formally execute all contracts and documents authorized by resolutions of the board unless otherwise authorized to be signed by the president, and perform such other duties as are generally imposed on a chair of the board.

## **7. Election of Vice Chair and Authorization of Duties**

A vice chair shall be elected from the membership of the board immediately following the election of a chair at the January meeting and shall take office at the start of business during the official, formal meeting of the full board in April and shall serve through the beginning of business at the formal meeting of the full board in April of the following year. *In the event the vice chair's term of office as regent expires prior to the conclusion of his/her service as vice chair, the vice chair-elect shall immediately take office upon such expiration and serve for the remainder of the previous vice chair's term and his/her elected term; however if the vice chair is reappointed to a new term as regent, he/she shall complete the elected term of office.*

No member shall serve more than two consecutive *elected* terms as vice chair unless the members shall re-elect such member for each term after the two consecutive terms by a vote of at least six (6) members.

The vice chair shall preside over meetings of the board in the absence of the chair, and shall succeed to the rights and powers of the chair in the event he/she is absent from the state or is unable to act because of disqualification, or because of physical disability as determined by the board. The vice chair shall perform such other duties as may be delegated to him/her by the board.

In the event of the death, resignation, or assumption of chair duties by the vice chair, the secretary shall serve as vice chair, as well as secretary, until the beginning of business at the formal meeting of the full board at the next April meeting.

## **8. Election of Secretary and Authorization of Duties**

The board shall select a secretary from the membership of the board, immediately following election of a vice chair at the January meeting, who shall take office at the start of business during the official, formal meeting of the full board in April and who shall serve through the beginning of business at the formal meeting of the full board in April of the following year. *In the event the secretary's term of office as regent expires prior to the conclusion of his/her service as secretary, the secretary-elect shall immediately take office upon such expiration and serve for the remainder of the previous secretary's term and his/her elected term; however if the secretary is reappointed to a new term as regent, he/she shall complete the elected term of office.* The secretary shall ensure that preparation for all meetings of the board, including such notices as required by law are made. The secretary **or other officers** shall attend all open meetings of the board and ensure that accurate records of all open meetings are kept. He/she shall ensure that all parties affected by the actions of the board are notified. He/she shall provide oversight to the coordinator of board affairs who shall be responsible for all records of the board and all documentary files thereof. He/she shall ensure that the coordinator of board affairs keep the official copy of the regents' *Rules and Regulations*. Said copy shall contain all current rules and regulations as set by the Board of Regents. Any changes or additions thereto shall be entered in the official copy and such changes and additions shall be furnished to members of the board and officers of the university as designated by the president. The coordinator of board affairs shall assist the secretary in performing the duties of his/her office.

## 9. Committees of the Board

The chair of the board shall appoint at the annual meeting of the Board of Regents or soon thereafter all committee members and shall designate a chair of each committee except as otherwise provided herein. *The chair of the board may further remove, replace, or appoint members in the event of a vacancy.*

9.1 The Executive Committee shall consist of the chair of the board, the vice chair of the board, and one other member appointed by the chair. ~~Two members present shall constitute a quorum.~~ The chair of the board shall serve as chair of this committee. This committee shall *serve as an advisory committee and* review and make recommendations to the full board on any matter related to the governance, control and direction of the policies of the university.

9.2 The Academic and Student Affairs Committee shall consist of three members. This committee shall consider:

- (1) the curricula of the various colleges and departments of the university with any other matters dealing with academic programs and the progress thereof;
- (2) the research programs within the university and their relationship to all graduate education;
- (3) student affairs within the university;
- (4) personnel matters within the university.

The committee shall summarize facts and present alternatives as necessary.

9.3 The Building and Grounds Committee shall consist of three members. This committee shall consider:

- (1) use and occupancy of university property;
- (2) planning of, locating of, receiving bids for, awarding contracts for, construction of, and maintenance of buildings, utilities, and other physical facilities of the campus.

The committee shall summarize facts and present alternatives as necessary.

9.4 The Finance~~/~~ and Audit Committee shall consist of three members. This committee shall consider:

- (1) the budgeting and appropriations request processes;
- (2) all requests for appropriations and budgets covering expenditures of educational and general funds and auxiliary



- programs, including, but not limited to, student housing and the athletic department;
- (3) handling of university funds, depositories, etc., whether from appropriated or contributed funds.
  - (4) the auditing function of the university including, but not limited to, annual audit plan, internal and external audit reports, risk assessment, and audit/compliance issues.

The committee shall summarize facts and present alternatives as necessary.

- 9.5 The Nominating Committee shall consist of three members. This committee shall be appointed annually prior to the January meeting by the chair for the purpose of nominating board officers for election at the January meeting.
- 9.6 The chair of the board may at any time appoint special committees, name the members thereof and designate the chairs. At a meeting of the Board of Regents, not less than six members thereof may appoint special committees, name the members thereof and designate the chairmen. Any special committee so created by the chair or by the Board of Regents shall be temporary and shall be charged in writing as to its particular duties and functions and the period in which it is to serve. Action by the chair of the board and/or six such members will be required to extend this period.

## **10. Prohibiting Contracting with Board Members**

The Board of Regents shall approve no contract or agreement of any character in which a member of the board, directly or indirectly, has a pecuniary interest, without prior advice of the general counsel. Regents must ~~self discloses~~*self-disclose* potential direct or indirect pecuniary interests in matters pending before the Board of Regents. Potential transactions with relatives of regents should also be disclosed to the general counsel for advice and counsel to avoid any appearances of a conflict of interest.

## **11. Election of University President**

Annually when the budget is passed, the Board of Regents shall conduct a performance review of the president and elect the president of the university by affirmative vote of a majority of its members. The president of the university shall hold office without fixed term and at the pleasure of the board. The president shall not have tenure as president, but may hold tenure as a

member of the faculty of the university when such tenure has been approved by the board. The president's salary shall be designated in the appointing order.

In case a change in the presidency is made, the board will accept for consideration suggested nominations from a screening committee representing the board, the faculty, the staff, the Alumni Association, the community, and the student body, which committee shall be selected by a majority vote of the Board of Regents.

## **12. Authority, Duties, and Responsibilities of the University President**

The president shall be responsible for developing and maintaining excellence and efficiency within the university.

The president shall be answerable to the Board of Regents and shall have discretionary powers broad enough to effectively administer the university within the policies and guidelines as set forth by the Board of Regents. The president shall have such powers as may be from time to time delegated by the board.

The president shall be prepared to make recommendations to the board on university matters which require board approval.

The president shall be responsible for implementing all board action items affecting the university.

The president shall interpret the board's policies to the faculty and staff and interpret the university's programs and needs to the board. The president shall at all times also represent and interpret the university's programs, needs and interests to the public.

The president shall recommend appropriate operating budgets and supervise expenditures under approved budgets.

The president shall nominate to the board the appointment and reappointment of all members of the faculty, administrative officers and professional staff and recommend such individuals for promotion, retention, or dismissal.

The president shall develop and maintain efficient personnel programs for all employees, including faculty and administrative officers.

The president shall ensure efficient management of business affairs and physical property and shall recommend additions and alterations to the physical plant.

The president shall assume active leadership in developing private fund support for the university.

Without prior notice or hearing, the president of the university may suspend without pay and immediately remove from the university or assign to other duties with pay any employee, and suspend and immediately remove from the university any student, ~~that~~ *who*: (1) poses a continuing danger to persons or property; (2) disrupts the orderly operation of the university; (3) endangers the education of students; or (4) has been convicted by a trial court of any felony or a crime of moral turpitude. The president shall, as soon as possible, notify the general counsel of such action. In such cases the president will set a hearing before the appropriate administrator or committee on the employee's or student's case as soon thereafter as is practicable unless otherwise waived by the employee or student.

The president shall have the ultimate responsibility for the proper administration of all university contracts, agreements, or purchases which are delegated to the president under the board's policy.

The president is authorized to accept grants and contracts and enter into agreements involving the furnishing of educational services with the various agencies of the federal and state governments, foundations, and private corporations and is authorized to advance funds as necessary to finance federal grants and contracts which are on a reimbursement basis provided the university will be reimbursed by the agencies for any cost resulting from such grants or contracts.

### **13. Election and Duties of General Counsel**

Annually when the budget is passed, the Board of Regents shall conduct a performance review and elect the general counsel by affirmative vote of a majority of its members. The general counsel shall hold office without fixed term and at the pleasure of the board. The general counsel's salary shall be designated in the appointing order.

The general counsel shall be responsible for all legal advice on all matters related to the university. He/she shall be responsible for all legal matters with local, state, and federal agencies and officials.

The general counsel shall work in cooperation with the attorney general of the state of Texas, legal counsel engaged in private practice and other legal counsel for agencies of the state of Texas concerning matters that may affect the university. He/she shall monitor all lawsuits brought against or for the university and assist the attorney general's office in the preparation, trial, and appeal of lawsuits involving the university.

The general counsel shall review all contractual obligations entered into by the university. He/she shall make legislative interpretations and be responsible for the compilation of all legislative statutes affecting the university. He/she shall be responsible for the determination of student residency classification on appeal. He/she shall perform such other duties which are generally incumbent upon a general counsel of like boards or which shall be delegated to him/her by the board or the president of the university.

#### **14. Election and Duties of the Director of Audit Services**

Annually when the budget is passed, the Board of Regents shall conduct a performance review and elect the director of Audit Services by affirmative vote of a majority of its members. The director of Audit Services shall hold office without fixed term and at the pleasure of the board. The director's salary shall be designated in the appointing order.

The director of Audit Services shall assist the board in carrying out its oversight responsibilities as they relate to the university's a) financial and other reporting practices, b) internal control, and c) compliance with laws, regulations, and ethics.

The director of Audit Services shall report on a day-to-day and functional basis to the president of the university. The director of Audit Services shall periodically communicate directly with the Finance ~~and~~ Audit Committee chair. It is important that the university auditor be independent of the chief financial and/or accounting officers to ensure independent review of the internal control structure and the financial reporting process.

The director of Audit Services shall work in cooperation with the state auditor's office, independent auditors engaged in private practice, and other auditors for entities of the state of Texas concerning matters that may affect the university.

The director of Audit Services shall annually submit information on the annual audit plan, work schedule, and staffing plan to the president for his review and to the Board of Regents for their approval. The director shall submit an

annual report as required by ~~Art. 6252-5d, V.T.C.S., recodified at~~ Texas Government Code, Chapter 2102. The annual report shall be submitted to the president and the board for review prior to public dissemination.

### **15. Election and Duties of the Coordinator of Board Affairs**

Annually when the budget is passed, the Board of Regents shall conduct a performance review and elect the coordinator of board affairs by affirmative vote of a majority of its members. The coordinator of board affairs shall hold office without fixed term and at the pleasure of the board. The salary for this position shall be designated in the appointing order.

The coordinator of board affairs shall manage the Office of the Board of Regents to assist in the administration of the responsibilities of the board and facilitate the role of each regent in the discharge of his or her responsibilities.

The coordinator of board affairs shall use discretion and independent judgment in establishing reporting mechanisms for the board, shall work directly with the regents, president, and general counsel on a routine basis, shall track information needs of the board and shall work as the campus liaison for the board's honored guests, including legislators, commencements speakers, and other dignitaries.

Other responsibilities for the coordinator of board affairs shall include taking, preparing and distributing meeting minutes; preparing and distributing meeting agendas; coordinating the review and publication of board policies; filing open meeting notices; notifying board members of all meeting dates; administering all communications and correspondence for the board; planning meetings, workshops, events and retreats for the board; making travel arrangements for board members; maintaining a calendar for the board; keeping board members apprised of upcoming events; ensuring appropriate board representation at functions; maintaining current board address list; and developing and maintaining the Board of Regents' Web page.

### **16. Employees Reporting to the Board of Regents**

From time to time, the Board of Regents may employ other individuals who report directly to the Board of Regents. Such employees shall hold office without fixed term and at the pleasure of the board. The salary of such employees shall be designated in the appointing order. Performance reviews may be conducted by the board within its discretion.

### **17. Report or Agenda for Meetings**

At all regular or special meetings of the board, the president of the university shall submit a president's report in writing. Such reports shall follow a uniform format approved by the board, with the proposed form of recommended board orders set out in the first section of the report, followed by sections on faculty and staff, budgetary items, contracts, curriculum, miscellaneous items and explanation. The latter section of the report shall set forth in reasonable detail an explanation of each proposed board order or recommendation. All board orders proposed in a president's report shall be drafted with clarity and brevity to reflect, without the need to refer to extraneous sources, the precise action ordered by the board in each instance. The drafting of multifarious orders for board consideration shall be avoided.

A copy of the president's report shall be submitted to all members of the board and the secretary at least ten days in advance of a meeting of the board.

### **18. Order of Business**

All regular and special meetings of the Board of Regents shall be as follows unless the chair otherwise directs:

- A. Approval of the minutes of the preceding meeting
- B. Reports of standing committees
- C. Reports of special committees
- D. Other business
- E. Adjournment

### **19. Appearance Before the Board**

19.1 Special appearances as requested by the board or president: The chair of the Board of Regents or the president (as approved by the board chair) may invite individuals to appear before the board or one of its committees (as approved by the committee chair) for specific purposes. The chair of the Faculty Senate and the president of the Student Government Association shall have the opportunity to provide a report at each quarterly board meeting.

19.2 Requests to address the board: Requests to appear before the board to make comments on a specific agenda item must be received by the coordinator of board affairs in writing no later than twenty-four (24) hours before the board meeting at which the individual wishes to

- speaking. The request should set out clearly the nature of the subject matter to be presented relating to a specific board agenda item. In making a request to appear before the board, individuals must give their names and any relevant title or affiliation. *Comments on topics not posted on the agenda are not allowed but* ~~Comments regarding non-posted agenda items~~ may be submitted to the coordinator of board affairs in writing, at any time, for distribution to the regents.
- 19.3 Time allocation: The board will allow up to twenty (20) minutes for public comment per agenda item. An individual speaker will be permitted three (3) to five (5) minutes for a presentation. The board will allow a total of up to ninety (90) minutes for public comments per regular quarterly meeting. Copies of speakers' comments, and/or other written materials for distribution to the Board of Regents will be accepted. Public comments will take place during the scheduled public comment period at the beginning of each regular quarterly meeting.
- 19.4 Other meetings: While a specific period for public testimony will be limited to the regular quarterly meetings, written comments are welcome for any scheduled meeting of the Board of Regents. One copy of comments may be forwarded to the Office of the Board of Regents for distribution to the regents.
- 19.5 Scheduling of speakers: When the number of requests to address the board at a given session and for a specific agenda item exceeds the time available, requests will be approved based on the order the written request was received by the coordinator of board affairs. If, by virtue of time or other constraint a speaker is not able to present his/her comments *orally*, said comments will be accepted *in writing* and distributed to the Board of Regents at the meeting.
- 19.6 Special Requests: Special requests to appear before the board for comments at times other than the regular quarterly meetings can be submitted to the coordinator of board affairs for consideration by the chair of the Board of Regents.

## **20. Annual Budget for University Operations**

The president shall prepare and submit annually to the board at its April or July meeting, as specified each year by the board, a proposed budget for the operation of the institution for the next fiscal period. Copies of all proposed operating budgets shall be submitted in writing to all members of the board at least one week in advance of such meeting of the board.

## **21.Monthly Financial Report of University Operations**

The president of the university shall submit a monthly operating statement to the members of the board showing balance sheet by fund groups; statement of income; statement of expenditures, unexpended balances, encumbrances, and unencumbered balances.

All institutional books, records, ledgers and accounts shall be kept and maintained in conformity with recommendations of the state auditor and the state comptroller of public accounts, subject to approval by the board.

Blanket fidelity bonds, approved by the board, shall be required to cover all employees of institutions under the jurisdiction of the board.

## **22.Student Admission, Degree Requirements, Tuition and Fees**

Student admission standards, entrance requirements, and degree qualifications shall be determined and prescribed by the institution, subject to the approval of the board. No otherwise qualified applicant for student enrollment shall be denied admission solely on the basis of religious or racial tests. Enrollment preference shall be given residents of the state of Texas.

Tuition, student fees, and room and board rates shall be established by the institution, subject to legislative direction and approval by the board.

Each member of the board shall receive copies of major publications of the university.

## **23.Employment of Bond Legal Counsel**

The board shall employ bond counsel as appropriate to advise and represent it in any matters.

## **24.Reimbursement of Expenses**

Reimbursement of expenses shall be allowed members of the board for attending regular and special meetings of the board; for visiting the university at the request of the board or the chair of the board; for attending formal committee meetings, and for such other special and limited purposes as the board may expressly authorize in accordance with state regulations. Verified



expense accounts shall be submitted to the Office of the Board of Regents for payment and the same shall be subject to review and control by the board.

## **25. Use of Campus Facilities for Political Purposes**

While the use of the facilities of the university for partisan political assemblies and meetings is not normally encouraged, the faculty and administration, as members of a learned and honorable profession, may properly exercise their acknowledged individual rights and obligations of citizenship free of university discipline or censorship.

Individual political candidates and their election organizations are not permitted to reserve a university facility for campaign activities. 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 the costs related to the event.

No member of the Board of Regents shall undertake to influence the political opinions of personnel subject to the board's jurisdiction, but such personnel are requested to exercise their individual rights of citizenship or academic freedom in a responsible manner reasonably calculated not to identify or associate with the university.

A university employee may not use his or her official authority or influence to coerce the political action of a person or body.

## **26. Authority for Official Statements**

The Board of Regents hereby reserves the authority and responsibility for determining matters of policy and official statements concerning any political or other subjects of an obviously controversial nature which represents an official policy, statement, or position of the Board of Regents, or of the university. Statements, policies, and positions by the Board of Regents on such matters shall be made by the board through the chair of the board or the president of the university. No regent, officer, faculty or staff member shall have the authority to speak for or issue any public statements on policy for and on behalf of the Board of Regents, or of the university, on such matters without prior approval of the board.

## **27. Naming of Buildings and Other Facilities**

Buildings and other facilities (including laboratories and clinics) of Stephen F. Austin State University may be named by the Board of Regents for deceased persons who have made outstanding contributions to the university or its prestige. In extraordinary circumstances, particularly when a significant donation has been made to the university, the Board of Regents may name a building, or other facility, for a living person.

Gift naming thresholds are outlined in the university's ~~Policy~~*policy* for Naming Guidelines (D-22). The Board of Regents retains the latitude to create alternate naming opportunities within the discretion of the board.

Proposed names may be submitted from any source to the —Office of Development for their recommendation to the president who, if he concurs, shall submit such names, together with background reasons, to the Board of Regents for consideration; provided, however, that the Board of Regents may act without receiving a nomination from the Office of Development, when circumstances justify such action, and particularly when a substantial donation has been made toward the construction of the building or facility to be named. Any such nominations shall be reviewed by a committee of the board. Such review shall take place before any contacts with prospective nominees. A name will not be moved from one building to another, and when a building is razed, the name will no longer be used.

A plaque shall be placed on each new building. The plaque shall show the names of those occupying the following positions on the date of the contract award: the officers of the Board of Regents; the remaining members of the Board of Regents in alphabetical order; the student regent; the president of the university; the vice president for Finance and Administration, the vice president(s) for the area involved, the director of Physical Plant, the architect and the contractor, together with the year the contract is awarded.

## **28. Provisions to Amend Rules and Avoid Conflict with Statutes**

The rules and regulations herein provided may be amended by a majority vote of members of the board at any regular meeting or at a special meeting of the board called for that purpose. Proposed amendments shall be filed in writing with the secretary and copies submitted to each board member at least fifteen (15) days before the same are considered by the board.

Should all or any part of the foregoing rules and regulations conflict with any constitutional, statutory or legislative appropriations provisions, they shall be amended to conform therewith.

**Policies for Board Review  
October 18, 2011**

<b>Policy Name</b>	<b>Policy Number</b>	<b>BOR Cte</b>	<b>Action/Change</b>	<b>Page Number</b>
Academic Curricula Review and Approval	A-4	ASA	Major Rewrite	P-3
Accessibility for Persons with Disabilities	F-16	ASA	Minor wording changes and cross referencing.	P-8
Best Value Procurement	C-7	F&A	Removal of wording on sealed bids.	P-10
Computer and Network Security	D-8.1	ASA	Security training required annually.	P-15
Discontinuance of Program or Academic Unit	A-74	ASA	New policy derived from wording formerly included in Tenure (E-50A)	P-18
Financial Exigency	C-63	NEW	New policy derived from wording formerly included in Tenure (E-50A)	P-19
Gift Reporting	C-15	F&A	Deposit exceptions approved by VP for Development.	P-21
Information Security for Portable Devices	D-58	ASA	New policy.	P-23
Investments	C-41	F&A	Revisions incorporated from 2011 legislative changes to the Public Funds Investment Act	P-25
Professional and Consulting Services	C-45	F&A	Major rewrite.	P-37
Substantive Change	A-70	ASA	Minor wording changes and updates.	P-43
Tenure	E-50A	ASA	Major rewrite, including converting two sections into two new policies (A-74 and C-63).	P-46

<b>Policy Name</b>	<b>Policy Number</b>	<b>BOR Cte</b>	<b>Action/Change</b>	<b>Page Number</b>
Travel	C-49	F&A	Board members and president and spouse are reimbursed for actual expenses when travelling on official business. Clarified language about tips.	P-61
Tuition Rebate	C-50	C-50	Clarification of SCHs included; appeal period extended.	P-76

## **~~Academic Curricula~~ Curriculum Reviews, Modifications and Approvals (A-4)**

**Original Implementation:** October 17, 1978

**Last Revision:** ~~August 26, 2008~~ October 18, 2011

### **~~Section I~~**

#### **~~A. Introduction~~**

It is the responsibility of each academic unit of the university to maintain a current curriculum for the disciplines it offers. ~~and Academic units must engage in continuous review of its curricula. To reach this goal, academic units will verify this objective by conducting a formal review of curricula every three to five years. A schedule proposed by the dean and department/school (hereafter referred to as department) chairs/directors (hereafter referred to as chair) within each college and approved by t~~The provost and vice president for academic affairs and appropriate dean will set time lines for the modification and approval process.

#### **~~B. Curriculum Modification Procedures~~**

When proposing changes to the curriculum, the originating department will submit its proposal (with the appropriate approval forms) according to the steps outlined in Section H of this policy. Curricular modifications that must follow the approval process include:

- ~~n~~New cCourses;
- ~~m~~Modified courses (*e.g., course title, credit hours*);
- ~~n~~New programs (*e.g., degrees, endorsements, certificates*);
- ~~m~~Modified programs (*e.g., degrees, endorsements, certificates*);
- ~~d~~Deletion of courses and/or programs (*e.g., degrees, endorsements, certificates*);
- and*
- ~~c~~Changes in mode of delivery such as off-campus face to face, online instruction, and other distance delivery methods.

Forms for this purpose are available on the Provost and Vice President for Academic Affairs web site.

#### **~~C. Substantive Change~~**

Any curricular changes that involve ~~substantive change~~<sup>22</sup> as defined by the *Southern Association of Colleges and Schools Commission on Colleges* ~~Texas Higher Education Coordinating Board or the Southern Association of Colleges and Schools Commission on~~

~~Colleges~~ must be communicated by the Office of the Provost and Vice President for Academic Affairs to the appropriate entity and, if necessary under the rules of the entity, be approved before implementation. For further information see the university policy on Substantive Change (A-70) ~~Policy A-70, Substantive Change~~.

## **~~Section II: Processes & Procedures For Curriculum Reviews, Modifications, & Approvals~~**

Forms for this purpose are available at the Academic Affairs website  
<http://www.sfasu.edu/acadaffairs/>.

1. ~~NEW~~New,<sup>1</sup> ~~MODIFIED~~modified, and ~~DELETED~~deleted Undergraduate and Graduate ~~p~~Programs (~~degrees, endorsements, certificates~~) and **CHANGES**changes in mode of delivery shall be developed and submitted at the program level, and recommended for approval by:

- ~~Recommended approval by the Department~~academic unit's Curriculum Committee;<sup>2</sup>
- ~~Recommended approval by the Department~~academic unit cChair
- ~~Recommended approval by~~appropriate cCouncils or cCommittees in the cCollege [e.g., Professional Educators' Council (A-6) for teacher certification];
- ~~Recommended approval by appropriate~~the cCollege dDean
- ~~Recommended approval by the u~~University Undergraduate Council or Graduate Council. and
- ~~Recommended approval by Council of the Deans Council.~~
- ~~Approved by Provost/VPAA~~
- ~~Approved by University President~~
- ~~Approved by Board of Regents~~
- ~~Approved by and/or appropriate notifications to the Texas Higher Education Coordinating Board, Texas Education Agency, Southern Association of Colleges and Schools or other appropriate outside agencies and organizations.~~
- ~~Inserted into the General Bulletin or Graduate Bulletin after complete approval by and/or notifications to all above entities~~

New, modified and deleted undergraduate and graduate programs and changes in mode of delivery shall then be considered for approval by:

- the provost and vice president for academic affairs;
- the university president; and
- the Board of Regents.

*Where appropriate, approval will then be sought from (and/or notification will be made to) the Texas Higher Education Coordinating Board (THECB), the Texas Education Agency, the Southern Association of Colleges and Schools, or other outside agencies and organizations.*

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

2. ~~New~~<sup>EW,†</sup> ~~modified~~<sup>MODIFIED</sup> and ~~deleted~~<sup>DELETED</sup> ~~u~~Undergraduate and ~~g~~Graduate **mMinors, sSecond mMajors and cConcentrations** shall be developed and submitted at the program level, and recommended for approval by:

- ~~Recommended approval by Dthe department~~academic unit's Curriculum Committee.<sup>2</sup>
- ~~Recommended approval by Dthe department~~academic unit cChair;
- ~~Recommended approval by~~appropriate cCouncils or cCommittees in the cCollege [e.g., Professional Educators' Council (A-6) for teacher certification];
- ~~Recommended approval by appropriate~~the cCollege dDean
- ~~Recommended approval by the u~~University Graduate or Undergraduate Council; and
- ~~Recommended approval by Council of Deans~~the Deans Council.
- ~~Accepted by Provost/VPAA~~
- ~~Inserted into General Bulletin or Graduate Bulletin after complete approval by and/or notification to all above entities~~

*New, modified and deleted undergraduate and graduate minors, second majors and concentrations shall then be considered for approval by the provost and vice president for academic affairs.*

*-Changes will be made in the General Bulletin and/or Graduate Bulletin after approval.*

3. ~~NEW~~<sup>New,†</sup> ~~MODIFIED~~<sup>modified</sup> and ~~DELETED~~<sup>deleted</sup> ~~U~~Undergraduate and ~~G~~Graduate **Ccourses** shall be developed and submitted at the program level, and recommended for approval by:

- ~~Recommended approval by Dthe department~~academic unit's Curriculum Committee;
- ~~Recommended approval by Dthe department~~academic unit cChair;
- ~~Recommended approval by~~appropriate cCouncils or cCommittees in the cCollege [e.g., Professional Educators' Council (A-6) for teacher certification];
- ~~Recommended approval by appropriate~~the cCollege dDean; and
- ~~Recommended approval by Uthe university~~ Undergraduate Council or Graduate Council.



- ~~Approved by Provost/VPAA~~
- ~~Approved by the University President~~
- ~~Approved by Board of Regents in the case of new courses~~
- ~~Approved by Texas Higher Education Coordinating Board, Texas Education Agency State Board for Educator Certificate, Southern Association of Colleges and Schools or other appropriate outside agencies~~
- ~~Inserted into **General Bulletin** or **Graduate Bulletin** after complete approval by and/or notifications to all above entities~~

*New, modified and deleted undergraduate or graduate course shall then be considered for approval by:*

- *the provost and vice president for academic affairs;*
- *the university president; and*
- *the Board of Regents (new courses only).*

*Where appropriate, approval will then be sought from (and/or appropriate notification will be made to) the Texas Higher education Coordinating Board, the Texas Education Agency, the Southern Association of Colleges and Schools, or other outside agencies and organizations.*

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

<sup>1</sup>~~**All NEW undergraduate and graduate degree programs must follow the Texas Higher Education Coordinating Board Policies and Procedures Manual and be submitted on either the Format for Non-substantive or Substantive Degree Program Requests (<http://www.theeb.state.tx.us/UHRI/polprod/dp.htm>)**~~

<sup>2</sup>~~The Steen Library needs to know at a minimum the nature of the new program and the content of any new courses to be offered. So, the contact needs to be made after much of the proposal text has been developed but well enough in advance of presentation to the campus-wide reviewing body, at a minimum, about 60 days.~~

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**Cross Reference:** THECB Instructions and ~~CIP-Classification of Instructional Programs~~ Codes; ~~Policy A-69~~, Certificate Programs (A-69); ~~Policy A-12.1~~, Course Incidental Fees (A-12.1); ~~Policy A-24~~ Laboratory Fees (A-24); and ~~Policy A-70~~, Substantive Change (A-70); *Academic Program Review (A-64)*; and *Professional Educators' Council (A-6)*

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

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

**Forms:** ~~Course Proposal Forms and Laboratory/course fee request are available on the Academic Affairs website.~~ *Forms for program revision, course proposals, substantive change, distance education and laboratory/course fee requests are available at the Academic Affairs website <http://www.sfasu.edu/acadaffairs/>.*

**Board Committee Assignment:** *Academic and Student Affairs*

## Accessibility for Persons with Disabilities (F-16)

**Original Implementation:** Unpublished

**Last Revision:** ~~October 14, 2008~~ October 18, 2011

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

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

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

*SFA will make reasonable workplace accommodations for any employee having a known physical or mental impairment (policy E-67).* Requests for ~~employment-workplace accommodations for employees with disabilities~~ are submitted to the director of ~~Human Resources~~ *Human Resources*. ~~for faculty and staff, or to the assistant director of Career Services for student employees, who, with assistance from Disability Services And a committee reviews and recommends reasonable workplace accommodations-committee if needed, makes employment-workplace accommodations based on a case-by-case basis.~~ *individual need.*

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

Requests for specific persons to provide academic accommodations will be given consideration based upon the requested person's employment qualifications and ability to

satisfy uniform quality assurance standards. Persons who are involved in an ongoing relationship with, or are related within the second degree of affinity or the third degree of consanguinity to the student or employee with a disability, as defined by *pPolicy E-33, Nepotism*, may not receive compensation for providing services to that particular student or employee.

For specific information regarding provision of academic assistance, refer to *pPolicy F-33, Academic Accommodation of Students with Disabilities*.

For specific information regarding resolution of disagreements, refer to *pPolicy F-34, Appeal Procedure Relating to the Provision of Accommodations for Students with Disabilities*.

*For specific information about workplace accommodations, refer to policy E-67, Reasonable Workplace Accommodation for Disabilities.*

For information regarding discrimination or harassment refer to *pPolicy E-46, Discrimination Complaints/Sexual Harassment*.

For information on the use of service animals refer to *pPolicy D-3, Animals on University Property*.

**Cross Reference:** Appeal Procedure Relating to the Provision of Accommodations for Students with Disabilities (F-34); Academic Accommodation of Students with Disabilities (F-33); *Reasonable Workplace Accommodation for Disabilities (E-67)*; *Animals on University Property (D-3)*; *Nepotism (E-33)*; *Compliance with the Americans with Disabilities Act and the ADA Amendments Act (D-41)*; Section 504 of the Rehabilitation Act of 1973, Pub. L. 93-112 (29 U.S.C. 701 et seq.) and the Americans with Disabilities Act of 1990, Pub. L. 101-336 (42 U.S.C. 12101 et seq.) *as amended by the ADA Amendments Act of 2008, Pub. L. No. 110-325, 122 Stat. 3553.*

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

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

**Forms:** None

**Board Committee Assignment:** *Academic and Student Affairs*

## Best Value Procurement (C-7)

**Original Implementation:** January, 1988

**Last Revision:** ~~January 25, 2010~~ October 18, 2011

### PROCUREMENT PROCESSES

Stephen F. Austin State University makes purchases, not otherwise delegated through ~~Policy C-10~~, Delegated Purchasing Authority (C-10), on a best value basis through any of the following processes. ~~All procurement processes require Board of Regents approval as per Policy D-20.5~~, Items Requiring Board of Regents Approval (D-20.5), *some procurements require Board of Regents approval*. Historically ~~UB~~ Underutilized business (HUB) ~~S~~subcontracting ~~P~~plan requirements apply in accordance with ~~Policy C-16.5~~, Historically Underutilized Businesses (C-16.5), and state law.

- A. All purchases completed with state appropriated funds must first consider making the purchase from Texas Industries for the Blind and Handicapped (TIBH) as mandated by Education Code *Section* 51.9335 to promote the purchase of goods or services from persons with disabilities.
- B. Purchases \$0 - \$5,000 are to be negotiated to achieve the best value for the university.
- C. The university may purchase goods or services through competitive bid procedures with the following minimum bidder requirements. A justification must be included in the order file if these minimums are not met.
  1. \$5,000.01 - \$25,000.00 – Minimum three informal bids required; minimum 50% HUB vendors including one woman-owned and one minority-owned
  2. Greater than \$25,000.00 – Minimum five formal bids required; minimum 50% HUB vendors including one woman-owned and one minority-owned; ~~E~~electronic ~~S~~tate ~~B~~business ~~D~~aily posting required unless ~~P~~procurement ~~S~~services determines that no value is added by the posting.

In determining best value for ~~C~~ompetitive ~~S~~sealed ~~B~~bids, the university shall consider best value factors identified in Education Code *Section* 51.9335.

- D. The university may purchase goods or services through the competitive sealed proposal process outlined in the ~~P~~procurement ~~D~~epartment RFP ~~M~~anual. All competitive sealed proposals shall include an appropriate number of solicitations to be determined by the ~~Procurement Department~~ purchaser, including HUB vendors of any gender and ethnicity when identified as providing the good or service sought. Electronic ~~S~~tate ~~B~~business ~~D~~aily posting is required, unless the ~~P~~procurement ~~D~~epartment ~~S~~services determines that no value is added by the posting.

- E. The university may purchase goods or services through the Request for Offer (*RFO*) process established in 34 Texas Administrative Code Section 20.391 for the acquisition of automated information systems goods and services.
- F. The university may purchase goods or services through group/cooperative purchasing programs without a solicitation process, when such purchase is deemed to represent the best value to the university.
- G. The university may purchase goods or services through State of Texas Term Contracts, State of Texas Multiple Award Schedules (*TXMAS*), and DIR/Texas Term Contracts without a solicitation process, when such purchase is deemed to represent the best value to the university.
- H. The university may purchase goods or services through reverse auctions.
- I. The university may purchase goods or services through contracts awarded by other state agencies or institutions of higher education without a solicitation process when such contracts are available and have followed approved purchasing processes, and such purchase is deemed to represent the best value to the university.
- J. The university may purchase goods or services through contracts awarded by the Council on Competitive Government in accordance with Government Code *Section* 2162 without a solicitation process, when such contracts are available, and such purchase is deemed to represent the best value to the university.
- K. The university may purchase goods or services on an ~~EMERGENCY~~ emergency basis. An emergency purchase is defined as a situation requiring that a procurement be made more quickly to prevent a hazard to life, health, safety, welfare, or property or to avoid undue additional cost to the university. A procurement may be declared an emergency at the purchaser's discretion in consultation with the end user and upon approval by the director of procurement. Declaration of an emergency supersedes all other best value procurement rules. The university will attempt to obtain bids, price comparisons or proposals when sufficient time exists by utilizing the most effective procurement process, including the ~~E~~electronic ~~S~~state ~~B~~business ~~D~~aily, when value is added by using such processes.

## EXEMPT PURCHASES

The following purchases are exempt from best value procurement processes. Submission of a purchase requisition and other rules may apply. ~~Statements included below in quotes are considered to be a part of any purchase order issued for the good or service when the purchase order is identified as an exempt purchase.~~

- 1. Advertising
- 2. Hotels and meeting rooms for conferences

3. Conference expenses; expenses related to conference room services such as audio/visual/network and food services. (does not include goods purchased for attendees or transportation services)
4. Moving expenses (employee) – ~~—Ssee Policy C-21, Moving Expenses (C-21)~~
5. Student travel; expenses related to student travel
6. Library materials and services for Stephen F. Austin State University libraries, as defined by Government Code *Section* 2155.139(a)(2), when such exemption represents the best value to the university. ~~—Exempt library purchase in accordance with university policy”~~
7. Membership dues and associated fees
8. Direct publications only available from a single source as defined by Texas Procurement and Support Services (TPASS) in the TPASS Procurement Manual; ~~i.e., hard copy or electronic subscriptions, books, videos, software and software maintenance direct from the publisher. —Not available from any other source”~~
9. Freight, including shipping, handling, fuel surcharge, hazardous material fee, postage, and other surcharges
10. Intra-agency payments
11. Rental of exhibit space; i.e., booths for display purposes
12. Items for resale
13. Internal repairs – repairs for which the extent and cost of such cannot be determined until the commodity is disassembled and evaluated. An internal repair must contain labor and may also include parts. ~~—Accurate repair costs cannot be determined until equipment is disassembled.”~~
14. Purchases from federal agencies
15. Utilities, other than electricity for which SFA chose to opt into deregulation
16. Organized activity purchases – ~~G~~goods and services for the Early Childhood Lab, Cole Audiology Lab, Beef Farm, Poultry Farm, Equestrian Program, Broiler Houses, and Swine Farm when the purchase directly affects operations and such exemption represents the best value to the university. ~~—Exempt purchase for an organized activity related to an instructional department in accordance with university policy”~~
17. Group travel; expenses related to group travel when such group travel includes non-university persons and is funded by payment from individual travelers; i.e., Art Tour
18. Gifts, prizes and awards for students, employees and non-university individuals
19. Accreditation ~~F~~fees
20. Tournament ~~f~~fees or ~~G~~game ~~G~~guarantees
21. Licensing ~~F~~fees or ~~P~~permits
22. Employee ~~R~~registration or ~~T~~tuition
23. Sponsorships
24. Non-travel-related meals

25. Fees, not otherwise identified herein
26. Notary bonds
27. *Guest lecturers, speakers, artists, entertainers, performers, musicians, etc.*
28. *Educational/training services for university employees*
29. *Veterinary services*
- 26.30. *Other professional services as defined by the state comptroller's expenditure codes*

## **~~COMPETITIVE SEALED BID SUBMISSION, BID OPENING, AND TABULATION~~**

### **~~Bid Submission~~**

1. ~~Prospective bidders may request specific bid invitations from the Procurement Department at any time prior to the bid opening;~~
2. ~~A bidder may withdraw its bid by written request at any time prior to the bid opening date and hour;~~
3. ~~A bid received after the time and date established by the bid invitation is a late bid and will not be considered;~~
4. ~~A bid received which does not contain adequate bid identification information on the outside of the envelope will be opened to obtain such information and will then be processed as any other bid. If the incorrect information on the envelope causes the bid not to be considered in making an award, the bid will be considered invalid and rejected;~~
5. ~~Bids may be submitted by facsimile (fax). The telephone number for fax bid submission will be identified in the solicitation; no other number may be used for bid submission. Bids submitted by fax need not be confirmed in writing, but must comply with all legal requirements applicable to formal bids. If all or any portion of a bid submitted by fax is received late, is illegible, or is otherwise rendered non-responsive due to equipment failure or operator error, the bid or the applicable portion of the bid will not be considered. The university shall not be liable for equipment failure or operator error, nor will such failure or error require other bids to be rejected or the bid invitation to be re-advertised.~~
6. ~~Bids may be submitted by email when specific instructions regarding email submission are included in the solicitation, or if approved by the purchaser. Bids submitted by email need not be confirmed in writing, but must comply with all legal requirements applicable to formal bids. If all or any portion of a bid submitted by email is received late, is illegible, or is otherwise rendered non-responsive due to equipment failure, operator error or email quarantine, the bid or applicable portion of the bid will not be considered. The university shall not be liable for equipment failure, operator error, or emails directed to email quarantine, nor will such require~~



~~other bids to be rejected or the bid invitation to be re-advertised. When email submission is allowed, all required signatures must appear on the emailed document via scan or image attachment.~~

- ~~7. An unsigned bid is not valid and will be disqualified;~~
- ~~8. A bidder or department may request, in person at the bid opening, that bids be read aloud. No bid shall be required to be read aloud at any time other than during regular working hours and days;~~
- ~~9. When formal bids are required, bids may not be taken or accepted by telephone;~~
- ~~10. If an error is discovered in a bid invitation, or agency departmental requirements change prior to the opening of a bid, the Procurement Department will transmit an addendum correcting or changing the specifications to all bidders originally listed on the transmission list for that bid invitation. Bids will not be rejected for failure to return the addendum with the bid, unless otherwise noted, if the receipt of the addendum is acknowledged on the face of the bid.~~

**Bid opening and tabulation:**

- ~~1. All bid openings conducted by the Procurement Department shall be open to the public.~~
- ~~2. Bid opening dates may be changed and bid openings rescheduled if bidders are properly notified in advance of the opening date.~~
- ~~3. If a bid opening is canceled, all bids which are being held for opening will be returned to the bidders.~~
- ~~4. All bid tabulation files are available for public inspection. Bid tabulations may be reviewed by any interested person during regular working hours at the offices of the Procurement Department, or a copy may be provided. Employees of the university are not required to give bid tabulation information by telephone.~~

**Cross References:** Items Requiring Board of Regents Approval (D-20.5); Historically Underutilized Businesses (C-16.5); Delegated Purchasing Authority (C-10); Tex. Educ. Code § 51.9335; 34 Tex. Admin. Code § 20.391; Tex. Gov't Code Ch. 2162; Tex. Gov't Code § 2155.139(a)(2)

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

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

**Forms:** Purchase Requisition, Purchase Voucher

**Board Committee Assignment:** Finance and Audit

## Computer & Network Security (D-8.1)

Original Implementation: January 24, 1995

Last Revision: ~~October 12, 2009~~ *October 18, 2011*

### **Purpose**

This policy establishes the conditions and security requirements for the use of computing equipment and networks at Stephen F. Austin State University (SFA). Computing equipment includes desktops, laptops, servers, handheld devices, and printers. In order to comply with state requirements (Information Resources Management Act, {Tex. Gov't Code §-Ch. 2054,} and Texas Administrative Code, Title 1, Part 10, Chapter 202), the director of information technology services (ITS) serves as information resources manager for the university and the Department of ITS ensures compliance.

### **Scope**

This policy applies at all university locations or data centers and represents the minimum requirements that must be in place. Individual areas with computers and networks may have additional controls and security.

### **Policy**

1. Each vice president, dean or director shall designate department staff (not student employees) or the technical services group of ITS as responsible for the support, maintenance and security of the computing equipment within their purview. For organizational units that designate local staff as their support provider, ITS shall provide computing support guidelines specifying the level of support that ITS shall provide as the secondary support provider.
2. Each organizational unit shall implement local security procedures to include:
  - a. Protection of the privacy of confidential information;
  - b. Protection of information against unauthorized modification;
  - c. Protection of systems against unauthorized access and use;
  - d. Display of the security banner from the ITS security web page on organization computers;
  - e. Use of the university's central authentication source for user authentication on servers and desktop computers, where feasible;
  - f. Use of the standard university antivirus software in a managed configuration, where feasible.
3. Each organizational unit of SFA that maintains a local area network(s) must develop a local security procedures document that is subject to approval by ITS. In order to mitigate and manage risk, each organizational unit maintaining servers shall participate in the annual information systems security risk assessment. The president or designee shall make the final security risk management decisions either to accept exposures or to protect the data according to their value or sensitivity.

4. SFA shall not be liable for the loss of data or interference with files resulting from the university's efforts to maintain the privacy and security of the university's computer, information, and network facilities. In order to maintain network security, the university reserves the right to:
  - a. Limit, restrict, or terminate an account holder's usage;
  - b. Inspect, copy, remove, or otherwise alter any data, file, or system resource that threatens the security of a system or network, with or without prior notice to the user;
  - c. Check systems periodically and take the necessary actions to protect university computers, information, and networks.
5. Individuals shall exercise responsible, ethical behavior when using the university's information resources. The university reserves the right to limit, restrict or extend privileges and access to its resources.
  - a. Access to certain university information resources is provided through the establishment of an account. Computer accounts must be approved in writing through the respective dean or director (or designated representative) of the administrative unit.
  - b. Since the university permits access to copyrighted data through the Internet, each user is responsible for complying with university policy D-42, Digital Millennium Copyright. Disciplinary action, including termination of service, may be taken on any reported copyright infringements that have been investigated and determined valid.
  - c. Computer systems provided by SFA are reserved only for university-related activities (See Chapter 39 of the Texas Penal Code for provisions dealing with the misuse of state property). The intentional deletion or alteration of information or data of others, intentional misuse of system resources, and misuse of system resources by others are prohibited.
6. *All users in security sensitive positions or users having access to Banner information, other than their own personal information, shall complete online security awareness training annually. Online security awareness training is considered complete once the user has scored a minimum of 80% on the security awareness quiz.*
- 6.7. Each user is responsible for complying with university policies F-40, Acceptable Use of Information Resources and D-43, Computing Software Copyright.

### **Sanctions for Policy Violations**

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

- a. a limitation on a user's access to some or all university computer systems;
- b. the initiation of legal action by the university;
- c. restitution by the violator for any improper use of service;
- d. disciplinary sanctions, which may include dismissal.

Many academic courses and work-related activities require the use of computers, networks, and systems of the university. In the event of an imposed restriction or

termination of access to some or all university computers and systems, a user enrolled in courses or involved in computer related work activities may be required to use alternative facilities. However, users are advised that if alternative facilities are unavailable or not feasible, users are responsible for the failure to complete requirements for course work or work responsibilities.

**Cross Reference:** ~~University Policies: Acceptable Use of Information Resources (F-40); Computing Software Copyright (D-43); and Digital Millennium Copyright Policy (D-42); Texas Information Resources Management Act; Tex. Gov't Code §§ Ch. 2054-001-465; 1 Tex. Admin. Code §§ 202.1-.2, .70-.78; Tex. Penal Code §§ 39.01-.02.~~

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

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

**Forms:** None

**Board Committee Assignment:** *Academic and Student Affairs*

## **Discontinuance of Program or Academic Unit (A-74) NEW**

**Original Implementation:** October 18, 2011

**Last Revision:** None

This policy shall govern the discontinuance of a program or academic unit for reasons other than financial exigency.

Termination of an appointment with tenure, or of a probationary or special appointment before the end of the specified term may occur as a result of bona fide formal discontinuance of a program or academic unit.

The decision to formally discontinue a program or academic unit will be based on educational consideration as determined by the university administration after consultation with the affected faculty and appropriate standing or ad hoc committees.

Before the administration issues notice to a faculty member of its intention to terminate an appointment because of formal discontinuance of a program or academic unit, the university will make every reasonable effort to place the faculty member concerned in another position for which the individual is professionally qualified.

In each case of termination of appointment because of program discontinuance, probationary faculty members shall be given notice as prescribed in policy E-50A, Tenure. Tenured faculty members will be given notice at least twelve months prior to termination of appointment.

A faculty member who alleges discrimination or abridgement of constitutional guarantees or academic freedom will be afforded due process.

**Cross Reference:** Tenure (E-50A)

**Responsible for Implementation:** President

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

**Forms:** None

**Board Committee Assignment:** Academic and Student Affairs

## **Financial Exigency (C-63) NEW**

**Original Implementation:** October 18, 2011

**Last Revision:** None

Termination of an appointment with tenure, or of a probationary or special appointment before the end of the specified term, may occur under extraordinary circumstances because of bona fide financial exigency (i.e., an imminent financial crisis that threatens the continuation of a strong academic program and that cannot be alleviated by less stringent means). The responsibility for demonstrating the existence and extent of the financial exigency rests with the administration.

Before terminating an appointment because of financial exigency, the appropriate university administrator, with faculty participation, shall make every reasonable effort to place the faculty member concerned in another position within the university for which the individual is professionally qualified.

If the university, because of financial exigency, terminates appointments with tenure, or probationary or special appointments before the end of the specified term, it will not at the same time make new appointments except in circumstances where a serious distortion of the academic program would otherwise result. Employment of a faculty member with tenure will not be terminated in favor of retaining a faculty member without tenure, except in circumstances where a serious distortion of the academic program would otherwise result.

In each case of termination of an appointment with tenure because of financial exigency, the vacancy will not be filled by a replacement within a period of two calendar years, unless the released faculty member has been offered reinstatement and at least sixty (60) days in which to accept or decline.

A probationary faculty member whose appointment is terminated because of financial exigency shall be given appropriate notice as prescribed in policy E-50A, Tenure. A tenured faculty member shall be given notice at least twelve months prior to termination of appointment.

A faculty member whose appointment is terminated because of financial exigency, and who alleges abridgement of constitutional guarantees or academic freedom, shall be afforded due process.

**Cross Reference:** Tenure (E-50A); Reduction in Force of Non-Academic Employees (E-41N)

**Responsible for Implementation:** President

**Contact for Revision:** Vice President for Finance and Administration; Provost and Vice President for Academic Affairs

**Forms:** None

**Board Committee Assignment:** Finance and Audit

## Gift Reporting (C-15)

**Original Implementation:** July 18, 1981

**Last Revision:** ~~October 14, 2008~~ October 18, 2011

The following procedural steps should be used when depositing private funds.

1. All gifts payable to the university and its departments should be immediately delivered to the bursar's office for deposit and must be delivered in a university approved locked bag.
2. Information relevant to any gifts received in the form of cash, checks, money orders, or other forms of negotiable instruments will be forwarded to the Office of Development from the bursar's office for purposes of updating donor records, ~~and~~ official acknowledgment and receipt of gift. The department receiving the gift should complete the "Gift Transmittal" form, attach any original documentation which accompanied the gift, and submit them when depositing the gift at the bursar's office. The bursar's office will forward the "Gift Transmittal" form and any original documentation included with gift to the Office of Development for gift processing within 24 hours of the deposit. Furthermore, the bursar's office will stamp each "Gift Transmittal" form with the date of deposit and initials verifying that the gift has been properly recorded and deposited by the university.
3. Deposit of all negotiable instruments must be completed within 24 hours of receipt of the gift and must be accompanied by the "Gift Transmittal" form *unless granted an exception. Any exceptions must have approval by the Office of Development. However, a* Any All exceptions are to be reported to and approved by the Office of Development ~~must be reported to the president vice president for development, and the gift deposited within 48 hours of receipt of the gift.~~
4. In-kind gifts, contributions other than cash, check or other readily negotiable security, retained in a department, program, activity center, or other university facility, should be reported by completing the "Gift-in-kind Report" form and forwarding it directly to the Office of Development. A comprehensive description of the gift, background information concerning the origin of the gift, value at the time of contribution and any correspondence or wishes of the donor, along with a photograph whenever possible, should be included with the completed form. For those in-kind gifts valued at more than \$5,000, a written qualified appraisal must be submitted, which has been signed and dated by a qualified appraiser.
5. All gifts, negotiable and in-kind, will be acknowledged officially on behalf of the university by the Office of Development, and may also be acknowledged by the recipient and/or the president. Departments should not generate receipts for gifts unless approved by the Office of Development ~~so that to avoid duplicate receipts. are not produced.~~



6. Gifts received by the university and made payable to the Stephen F. Austin State University Foundation, Inc. should be forwarded to the Office of Development for transfer and deposit to the foundation.
7. All eligible matching gift requests will be processed by the Office of Development upon recording the original gift of the donor. If ~~any a~~ matching gifts ~~are proves to be ineligible to be matched~~, the matching gift form will be ~~rejected and forwarded~~ *returned* to the department submitting the request.

**Cross Reference:** None

**Responsible for Implementation:** Vice President for Development

**Contact for Revision:** Vice President for Development

**Forms:** Gift Transmittal form, Gift-in-kind Report form (available in Office of Development)

***Board Committee Assignment:*** Finance and Audit

## **Information Security for Portable Devices – (D-58) NEW**

**Original Implementation:** October 18, 2011

**Last Revision:** None

Portable computing devices are becoming increasingly powerful and affordable. Their small size and functionality are making these devices more desirable to replace traditional desktop devices in a wide number of applications. However, the portability offered by these devices may increase the security exposure to the university and the individuals using the devices.

### **Definitions:**

**Confidential Information** – Information that is protected from disclosure requirements under the provisions of applicable state or federal law, e.g., Family Educational Rights and Privacy Act (FERPA), The Texas Public Information Act. Most student records are confidential information.

**Information Resources (IR)** - The procedures, equipment, and software that are designed, employed, operated, and maintained to collect, record, process, store, retrieve, display, and transmit information or data.

**Information Resource Owner** – an entity responsible for:

- a business function; and,
- determining controls and access to information resources supporting that business function.

**Internet Service Provider (ISP)** – A company that provides access to the Internet.

**Portable Computing Device** – An easily portable device that is capable of capturing, processing, storing, and transmitting data to and from the SFA information resources. This includes, but is not limited to: laptops, personal digital assistants (PDAs), and smart phones

**Portable Storage Device** – An easily portable device that stores electronic data. This includes, but is not limited to: flash/thumb drives, iPods, CD-Rs/CD-RWs, DVDs, and removable disk drives.

**Remote Access** – The act of using a computing device to access another computer/network from outside of its established security realm (e.g, authentication mechanism, firewall, or encryption).

### **Policy:**

The information resource owner, or designee, is responsible for ensuring that the risk mitigation measures described in this policy are implemented.

The intended audience is all users of SFA information resources regardless of the portable devices ownership.

**Risk Mitigation Measures:**

- Portable computing devices, containing confidential information shall be protected from unauthorized access by passwords or other means.
- Any confidential information stored on portable computing or storage devices shall be encrypted with an appropriate encryption technique.
- All remote access to confidential information from a portable computing device shall utilize encryption techniques, such as virtual private network (VPN), secure file transfer protocol (SFTP), or secure sockets layer (SSL).
- Confidential information shall not be transmitted via wireless connection to, or from, a portable computing device unless encryption methods that appropriately secure wireless transmissions, such as virtual private network (VPN), encrypted Wi-Fi, or other secure encryption protocols are utilized.
- Unattended portable computing or storage devices, containing confidential information, shall be kept physically secure using means appropriately commensurate with the associated risk.
- Where appropriate, keep portable computing devices patched/updated, and install anti-virus software and a personal firewall.

**Cross Reference:** Family Educational Rights and Privacy Act of 1974 (FERPA), 20 U.S.C. § 1232g; Tex. Gov't Code Ch. 552; 1 Tex. Admin. Code §§ 202.1-.2, .70-.78

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

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

**Forms:** None

**Board Committee Assignment:** Academic and Student Affairs

## Investments (C-41)

**Original Implementation:** April 30, 1996

**Last Revision:** ~~January 25, 2011~~ *October 18, 2011*

### Policy Statement

Stephen F. Austin State University invests the public funds in its custody with primary emphasis on the preservation and safety of the principal amount of the investment. Secondly, investments must be of sufficient liquidity to meet the day to day cash requirements of the university. Finally, the university invests to maximize yield within the two previously indicated standards. All investments within this policy conform to all applicable state statutes and local rules governing the investment of public funds. This policy is promulgated in accord with the Public Funds Investment Act (Government Code, Chapter 2256), and related portions of the Texas Education Code.

### Scope

This policy establishes rules for the investment of all university and agency funds except endowment funds. Endowment funds are invested in accordance with separate policy approved by the Board of Regents and are the responsibility of fund managers selected by the Board of Regents.

### Objectives

The foremost objective of all investment decisions shall be safety of principal. All investments must be undertaken with the fiduciary responsibility associated with that of a reasonable and prudent person. Investments must be in accord with Texas law. Investment maturity must be diversified to match the university's liquidity requirements.

Investments shall incur no unreasonable risk in order to maximize potential income.

Investments shall remain sufficiently liquid to meet all reasonably anticipated operating requirements.

Investments may be diversified in order to respond to changing economic and/or market conditions.

No investments within the portfolio or investment practices conducted to effect investment activities shall violate the terms of this policy.

## Authorized Investments

All university funds and funds held in trust for others may be invested only in the following securities listed below: *Credit rating requirements will be monitored at least monthly for applicable securities. If or when a rating drops below the established minimum, the investment will be liquidated as soon as prudently possible.*

- A. obligations, including letters of credit, of the United States of America, or its agencies and instrumentalities;
- B. direct obligations of the state of Texas or its agencies and instrumentalities;
- C. collateralized mortgage obligations directly issued by a federal agency or instrumentality of the United States of America, the underlying security for which is guaranteed by an agency or instrumentality of the United States of America;
- D. other obligations, the principal ~~of~~ and interest ~~of~~ *on*, which are unconditionally guaranteed or insured by, or backed by the full faith and credit of, the state of Texas or the United States of America or their agencies and instrumentalities, *including obligations that are fully guaranteed or insured by the Federal Deposit Insurance Corporation or by the explicit full faith and credit of the United States*;
- E. obligations of states, agencies, counties, cities, and other political subdivisions of any state rated as to investment quality by a nationally recognized investment rating firm of not less than A or its equivalent;
- F. certificates of deposit issued and share certificates by a depository institution that has its main office or a branch office in Texas that is:
  - 1. guaranteed or insured by the Federal Deposit Insurance Corporation or its successor or the National Credit Union Share Insurance Fund or its successor;
  - 2. secured by obligations that are described in Authorized Investments section A-E listed above, including mortgage backed securities directly issued by a federal agency or instrumentality that have a market value of not less than the principal amount of the certificates, but excluding those mortgage backed securities of the following nature:
    - a. obligations whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgaged-backed security collateral and pays no principal;
    - b. obligations whose payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest;
    - c. collateralized mortgage obligations that have a stated final maturity date of greater than 10 years; and
    - d. collateralized mortgage obligations the interest rate of which is determined by an index that adjusts opposite to the changes in a market index.

3. In addition to the authority to invest funds in certificates of deposit in Section (F), an investment in certificates of deposit made in accordance with the following conditions is an authorized investment under Subchapter 2256.010:
- a. the funds are invested by an investing entity through *a broker a depository institution* that has its main office or a branch office in ~~this state~~ *Texas* and ~~that is selected from a list adopted by the investing entity as required by Section 2256.025; or-~~
  - b. *the broker or* the depository institution selected by the investing entity under Subsection (a) arranges for the deposit of the funds in certificates of deposit in one or more federally insured depository institutions, wherever location, for the account of the investing entity;
  - c. the full amount of the principal and accrued interest of each of the certificates of deposit is insured by the United States or an instrumentality of the United States;
  - d. *the investing entity appoints* the depository institution selected by the investing entity under Subsection (a), *an entity described by Section 2257.041(d), or a clearing broker-dealer registered with the Securities and Exchange Commission (SEC) and operating pursuant to SEC Rule 15c3-3 (17 C.F.R. Section 240.15c3-3)* ~~acts as~~ custodian for the investing entity with respect to the certificates of deposit issued for the account of the investing entity; ~~and~~
  - e. ~~at the same time that the funds are deposited and certificates of deposit are issued for the account of the investing entity, the depository institution selected by the investing entity under Subsection (a) receives an amount of deposits from customers of other federally insured depository institutions, wherever located, that is equal to or greater than the amount of the funds invested by the investing entity through the depository institution selected under Subsection (a)~~
- G. fully collateralized repurchase agreements with a definite termination date, secured by *a combination of cash and* obligations described by Authorized Investments section A-E, requiring the securities being purchased by the entity *or cash held by the entity* to be pledged to the entity, held in the entity's name, and deposited at the time the investment is made with the entity or with a third party selected and approved by the entity; and placed through a primary government securities dealer, as defined by the Federal Reserve, or a financial institution doing business in this state;
- H. bankers acceptances having a stated maturity of 270 days or fewer from the date of issuance, to be liquidated in full at maturity, eligible for collateral for borrowing from a Federal Reserve bank, and accepted by a bank organized and existing under the laws of the United States of America or any state, if the short- term obligations

of the bank, or of a bank holding company of which the bank is the largest subsidiary, are rated not less than A-1 or P-1 or an equivalent rating by at least one nationally recognized credit rating agency;

- I. commercial paper that has a stated maturity of 270 days or fewer from the date of its issuance, and is rated not less than A-1 or P-1 or an equivalent rating by at least two nationally recognized credit rating agencies or one nationally recognized credit rating agency and is fully secured by an irrevocable letter of credit issued by a bank organized and existing under the laws of the United States of America or any state;
- J. no-load money market mutual funds registered and regulated by the Securities and Exchange Commission, having a dollar-weighted average stated maturity of 90 days or fewer, and including in their investment objectives the maintenance of a stable net asset value of \$1 for each share; and no-load mutual funds that conform to Section 2256.014 of the Government Code;
- K. guaranteed investment contracts conforming to Section 2256.015 of the Government Code;
- L. investment pools conforming to Sections 2256.016 *and* 2256.019 of the Government Code;
- M. cash management and fixed income funds sponsored by organizations exempt from federal income taxation under Section 501(f), Internal Revenue Code of 1986 (26 U.S.C. Section 501(f));
- N. negotiable certificates of deposit issued by a bank that has a certificate of deposit rating of at least 1 or the equivalent by a nationally recognized credit rating agency or that is associated with a holding company having a commercial paper rating of at least A-1, P-1, or the equivalent by a nationally recognized credit rating agency;
- O. corporate bonds, debentures, or similar debt obligations rated by a nationally recognized investment rating firm in one of the two highest long-term rating categories, without regard to gradations within those categories;-
- P. assets and/or funds reportable within the scope of the university's annual financial report may not be invested in or used to purchase securities, including obligations, of a private corporation or other private business entity that owns 10% or more of a corporation or business entity which records or produces any song, lyrics or other musical work that explicitly describes, glamorizes or advocates
  - 1. acts of criminal violence, including murder, assault, assault on police officers, sexual assault, and robbery;
  - 2. necrophilia, bestiality, or pedophilia;
  - 3. illegal use of controlled substance;
  - 4. criminal street gang activity;
  - 5. degradation or denigration of females; or
  - 6. violence against a particular sex, race, ethnic group, sexual orientation, or religion.

## **Insurance or Collateral**

All deposits and investments of university funds other than direct purchase of United States Treasury securities or United States Agency securities and in money market funds invested in U. S. Treasury or Agency securities shall be secured by a pledge of collateral with a market value equal to no less than 100% of the deposits or investments less any amount insured by the FDIC or FSLIC and pursuant to Chapter 2257, the Public Funds Collateral Act. Evidence of the pledged collateral associated with bank demand accounts and investments shall be maintained by the director of financial services. Eligible repurchase agreements shall be documented by a specific agreement noting the collateral pledged in each agreement. Collateral shall be reviewed monthly by the controller and director of financial services to assure the market value of the securities pledged equals or exceeds the related bank and certificates of deposit balances.

Pledged collateral shall be maintained for safekeeping by a third party depository.

## **Collateral Defined**

The university shall accept only the following securities as collateral:

- A. AFDIC and FSLIC insurance coverage;
- B. United States Treasury, Agency, or Instrumentality securities;
- C. Other obligations, the principal of and interest on which are unconditionally guaranteed or insured by the State of Texas or the United States of America
- D. Obligations of states, agencies thereof, counties, cities, and other political subdivisions of any state having been rated as to investment quality by a nationally recognized investment rating firm and having received a rating of no less than A or its equivalent.

## **Investment Strategy**

All investments will be made in accordance with the university's investment policy. Investments may be diversified as needed to provide investment suitability to the university's financial requirements. The preservation and safety of principal is the first priority, however, it is recognized that unrealized losses will occur in a rising interest rate environment, just as unrealized gains will occur during periods of falling interest rates. Investments will be of the type to provide sufficient liquidity and marketability for any operating requirements. The investment portfolio may be diversified with authorized securities to accommodate changing market conditions. However, United States Treasury securities are preferable because of their low risk and high liquidity. An investment decision shall consider yield only after the requirements for principal preservation, liquidity, and marketability have been met.



Investments may be categorized and described as:

- A. Short Term - less than 90 days Funds needed to meet short term operating requirements normally will be invested in either the Texpool investment vehicle managed by the state treasurer or overnight sweep accounts established with banking institutions. The benchmark is the average three month Treasury Bill yield.
- B. Intermediate Term - 90 days to one year United States Treasury and Agency securities, United States Agency Discount Notes are the primary investment vehicles. United States Treasury securities are preferable because of their low risk and the ease with which they are traded. The benchmark is 95 percent of the average one-year Treasury Bill yield.
- C. Long Term - over one year United States Treasury and Agency securities are the primary investment vehicles. Normally, investments are laddered so that most principal is returned over a five year period in increments sufficient to meet anticipated operating and capital needs. The 30 Year Treasury Bond rate is the benchmark for long term funds.
- D. Maturity - The length of time for investments within this policy will vary according to fund type and will be dependent on funding requirements. As a general rule, funds will be invested for the time periods indicated:

Current Unrestricted and Restricted Funds - 2 days to one year

Plant Funds- 3 months to 3 years

### **Delegation of Authority**

The vice president for finance and administration (VPFA) of Stephen F. Austin State University is responsible for investment management decisions and activities. The VPFA delegates the day-to-day management of the investment activities to the director of financial services.

The VPFA shall be ultimately responsible for all transactions undertaken and shall establish a system of controls (Appendix A) to regulate the activities of officials and staff involved in investment transactions.

The VPFA shall develop and maintain written administrative procedures and guidelines for the operation of the investment program which are consistent with and part of this Investment Policy (Appendix B).

The VPFA and director of financial services shall be designated as the university's investment officers and are responsible for the duties outlined herein. The names and

titles of the investment officers shall be filed with the Board of Regents. Changes of names and/or titles must be filed with the Board of Regents as they occur.

The maximum stated maturity date of any security may not exceed ten years, and the weighted average duration of the portfolio shall not exceed five years without approval by the VPFA and ratification by the Board of Regents. No officer or designee may engage in an investment transaction except as provided under terms of this policy as approved by the Stephen F. Austin State University Board of Regents.

### **Prudence**

The "prudent person" standard will be used in the investment function and shall be applied in the context of individual transactions as well as management of the overall portfolio.

Accordingly, all investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the expected income to be derived.

### **Internal Controls**

Stephen F. Austin State University has established a system of written internal controls designed to prevent loss of public funds due to fraud, employee error, misrepresentation by third parties, unanticipated market changes, or imprudent actions by employees of the university. These controls are shown in Appendix A of this investment policy. These controls are subject to the review of and recommendations from the university's Department of Audit Services' office.

### **Investment Authority**

The VPFA or director of financial services shall invest only those funds regulated by this policy and shall purchase only those securities authorized by the Authorized Investments section of this policy.

### **Authorized Financial Dealers and Institutions**

Investment transactions (bids and offers) will occur only between the university and board authorized broker/dealers. A written copy of the investment policy shall be presented to any person offering to engage in an investment transaction with Stephen F. Austin State University. The qualified representative of the business organization offering to engage in an investment transaction with Stephen F. Austin State University

shall execute a written instrument substantially to the effect that the business organization has (a) received and reviewed the investment policy of the university and (b) acknowledges that the business organization has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the university and the organization that are not authorized by Stephen F. Austin State University's investment policy.

Securities may not be bought from any organization whose representative has not provided the university with the acknowledgment required in the above paragraph.

### **External Financial Advisor Contract Renewal or Extension**

Pursuant to Chapter 2256 of the Texas Government Code, a contract with an external investment manager may not exceed two years. A renewal or extension of the contract by the board must be made by order, ordinance, or resolution. Disclosure Requirements for Outside Financial Advisors External financial advisors and service providers shall comply with Texas Government Code Chapter 2263, Ethics and Disclosure Requirements for Outside Financial Advisors and Service providers.

### **Disclosure Requirements for Investment Officers**

Pursuant to Texas Government Code Sec. 2256.005, an investment officer of an entity who has a personal business relationship with a business organization offering to engage in an investment transaction with the entity shall file a statement disclosing that personal business interest. An investment officer who is related within the second degree by affinity or consanguinity, as determined under Chapter 573, to an individual seeking to sell an investment to the investment officer's entity shall file a statement disclosing that relationship. A statement required under this subsection must be filed with the Texas Ethics Commission and the governing body of the entity. For purposes of this subsection, an investment officer has a personal business relationship with a business organization if:

1. the investment officer owns 10 percent or more of the voting stock or shares of the business organization or owns \$5,000 or more of the fair market value of the business organization;
2. funds received by the investment officer from the business organization exceed 10 percent of the investment officer's gross income for the previous year; or
3. the investment officer has acquired from the business organization during the previous year investments with a book value of \$2,500 or more for the personal account of the investment officer.

### **Diversification**

Investments may be diversified to minimize the risk of loss resulting from unauthorized concentration of assets in a specific maturity, specific issuer, or specific class of securities. The diversification limits by security type and issuer shall be:

Category	Maximum
U. S. Treasury securities and securities having principal and interest guaranteed by the U. S. Government	100%
U. S. Government agencies, instrumentalities and government sponsored enterprises (excluding mortgage backed securities)	50%
Collateral mortgage backed securities	25%
Fully insured or collateralized certificates of deposit	100%
Bankers' acceptances	25%
Commercial paper	25%
Repurchase agreements	100%
Registered money market funds	80%
Local Government Investment Pool	100%
Corporate Bonds	25%

The VPFA may diversify investment maturity to limit interest rate risk. Interest rate risk is the risk that changes in market interest rates will adversely affect the fair value of an investment. Generally, the longer the maturity of an investment the greater the sensitivity of its fair value to changes in market interest rates. To the extent possible, investment maturity will be matched with anticipated cash flow requirements. Matching maturity and cash flow requirements will minimize occasions for sale of securities prior to maturity, thereby reducing market risk. However, no provision of this policy shall be interpreted as prohibiting the sale of any security prior to maturity, provided that it is in the university's financial interest to affect the sale. The weighted average maturity of the entire portfolio shall be maintained at no more than 10 years and shall be reported quarterly to the Board of Regents. Pooled fund groups eligible for university investment shall have a maximum weighted average maturity of 10 years.

Credit risk is the risk that an issuer or counterparty to the investment will not fulfill its obligations to the holder of the investment. This is measured by the assignment of a rating by a nationally recognized statistical rating organization. To limit credit risk, this policy limits investments in corporate bonds, debentures or similar debt obligation to the two highest long-term rating categories.

### **Safekeeping and Collateralization**

All securities transactions, including collateral for repurchase agreements, but excluding mutual funds and investment pools, must be settled on a delivery versus payment basis. Collateral for certificates of deposit shall be held by a third party custodian in the name of the university. The third party custodian shall be required to issue a safekeeping receipt to the university listing the specific instrument, rate, maturity, safekeeping receipt number, and other pertinent information. Any collateral safekeeping receipt shall be clearly marked on its face that the security is "pledged to Stephen F. Austin State University". Collateralization shall be required on certificates of deposit and repurchase agreements. The collateralization level shall be no less than 100% of the market value of the principal and interest due on these instruments. Collateral for certificates of deposit and repurchase agreements shall consist of any of the securities authorized for investment within this policy.

### **Performance Evaluation**

The VPFA and director of financial services shall submit quarterly reports to the Board of Regents through its finance/audit committee and the president of the university in the format prescribed by the Public Funds Investment Act, within a reasonable time after the end of the quarter. The reports must: (A) describe in detail the investment position of the university on the date of the report; (B) be prepared by the investment officer(s) of the university; (C) be signed by the investment officer(s) of the university; (D) contain a summary statement ~~prepared in compliance with generally accepted accounting principles~~ of each pooled fund group that states the: (1) beginning market value for the reporting period; (2) ~~additions and changes to the market value during the period;~~ (3) ending market value for the period; and (3) fully accrued interest for the reporting period; (E) state the book value and market value of each separately invested asset at the ~~beginning and~~ end of the reporting period by the type of asset and fund type invested; (F) state the maturity date of each separately invested asset that has a maturity date; (G) state the account or fund or pooled group fund for which each individual investment was acquired; and (H) state the compliance of the investment portfolio of the university as it relates to the relevant provisions of the Public Funds Investment Act.

### **Training**

The investment officer(s) will attend training as required by Section 2256.007 of the Texas Government Code. Training for the investment officer(s) will be conducted by an organization or firm that is approved by the Texas Higher Education Coordinating Board.

### **Audits**

In order to comply with the audit requirements of the Texas Public Funds Investment Act, the university's Department of Audit Services shall conduct audits and reviews of

the university's investment function and report the findings to the appropriate oversight authorities.

**Investment Policy Adoption and Certification**

Upon adoption by the Stephen F. Austin State University Board of Regents, the university's investment policy shall be reviewed annually to ensure current applicability and significant modifications thereto submitted to the Board of Regents for approval.

**Cross Reference:** Tex. Gov't Code Ch. 573, 2256-2257, 2263; 26 U.S.C. § 501(f); Tex. Educ. Code § 51.0032

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

**Contact for Revision:** Vice President for Finance and Administration

**Forms:** None

**Board Committee Assignment:** Finance and Audit

## APPENDIX A

### INTERNAL CONTROLS

The university has prepared an investment policy as of April 12, 1996. The policy was approved by the Board of Regents April 30, 1996. The investment policy will be reviewed and/or updated no less than annually. All pledged securities shall be held by a third party custodian in the name of the university. A safekeeping receipt will be issued to the university listing the specific instrument, rate, maturity, safekeeping receipt number, and other relevant information. The signature of the president, VPFA or director of financial services is required for release of pledged securities from safekeeping. Only changes in the level of collateralization require approval by the president, VPFA or director of financial services. The controller's office will reconcile the appropriate investment accounts to broker's statements and other supporting documents monthly. All purchases of securities from and deposits of funds to or withdrawals of funds from TexPool require the signature of the VPFA, and either the director of financial services, budget director or the controller.

## APPENDIX B

## ADMINISTRATIVE PROCEDURES

The bursar's office will maintain a daily list of cash balances held in depository bank accounts. All investment transactions and related cash transfer requests, except for investment "rollovers" as defined, will be prepared by the director of financial services and will require an appropriate second signature. "Rollovers" are investment transactions whereby an investment of certain type held by an entity matures and the proceeds are then used to purchase an investment of the same type within the same account within the same entity. The controller's office will record investments in compliance with GASB and state comptroller's reporting requirements and reconcile the appropriate investment accounts to broker's statements and other supporting documents monthly. Quarterly investment reports are prepared by the director of financial services and approved by the vice president of finance and administration in accordance with the Performance Evaluation section of this investment policy. The market price of securities will be monitored quarterly using industry published data or appropriate financial publications.

## Professional and Consultant Services (C-45)

**Original Implementation:** October 26, 1999

**Last Revision:** ~~July 15, 2008~~ *October 18, 2011*

~~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 PAREPAF process. To make this determination, refer to the IRS 20-Question test.~~

### **DEFINITIONS**

**"Professional Services"** means those services within the scope of the practice, as defined by state law, 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 Expenditure 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 lecturers, speakers, artists, entertainers, performers, musicians, etc.~~
2. ~~educational/training services for state employees~~
3. ~~veterinary services~~
4. ~~other professional services~~

**"Consulting Sservices"** 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 Cconsulting Sservices Ccontract"** means a consulting services contract for which it is reasonably foreseeable that the value of the contract will exceed \$25,000.

~~NOTE that t~~The \$25,000 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**

~~The Pprofessional or consulting services contract level that requires Board of Regents approval is governed by Policy D-20.5, in the amount of \$100,000 or greater may require approval by the Board of Regents. Reference- Items Requiring Board of Regents Approval (D-20.5).~~

*Professional or consulting service solicitations greater than \$25,000 will be posted on the electronic state business daily unless procurement determines that no value is added by the posting.*

### *Professional Services*

A "Pprofessional Sservice" 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) 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~~any 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 a solicitation will enhance the selection process for ~~either professional or consulting~~ services, contact the ~~purchasing~~ procurement director to discuss options for making informal price comparisons or preparing a formal ~~R~~request for ~~P~~proposal or request for qualifications.

#### *Consulting Services*

~~An invitation for consultants to provide offers on Mmajor Cconsultanting services Ccontracts greater than \$25,000 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 prior to entering into the contract. The published invitation must include a finding and explanation by the president that the consulting services are necessary. Contact the purchasing procurement director or general counsel's office for assistance in completing the Major Consulting Contract Request form.~~ Major Consulting Contract Request form.

*Not later than the 20<sup>th</sup> day after the date in which a major consulting contract is entered into by the university, the university shall file with the secretary of state for publication in the Texas Register: a description of the activities that the consultant will conduct; the name and business address of the consultant; the total value and the beginning and ending dates of the contract; and the dates on which any document, films, recording or reports required of the consultant are due.*

*All renewals, amendments, and extensions of a major consultant contract shall follow any procedures for posting in the Texas Register as required by applicable law.*

~~Professional or Consulting Service solicitations greater than \$25,000 will be posted on the Electronic State Business Daily unless purchasing procurement determines that no value is added by the posting.~~

~~Professional or Consulting Services \$100,000 or greater must be approved by the Board of Regents. Reference Items Requiring Board of Regents Approval (D-20.5).~~

### **CONFLICTS OF INTEREST REGARDING CONSULTANTS**

Upon submittal of an offer by a private consultant to provide consulting services to SFA, any officer or employee shall report to the president within 10 days of receipt of the offer:

1) any financial interest that the officer or employee has in the private consultant, or 2) any financial interest in the private consultant of anyone related to the officer or employee within the second degree by consanguinity or affinity as determined under *Texas Government Code Chapter 573* ~~Texas Government Code, Chapter 573~~. Reference *Texas Government Code Sec. 2254.032* ~~Code 2254.032~~ and the *SFA Ethics Policy* ~~Policy~~ *(E-56E-56)*, ~~Ethics~~.

### **RESTRICTIONS ON HIRING FORMER OR RETIRED EMPLOYEES**

#### **1. HIRING A FORMER EMPLOYEE OR RETIREE AS A PROFESSIONAL SERVICE PROVIDER, CONSULTANT, OR FOR PERSONAL SERVICES**

~~1.~~ 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 local funds.

#### **~~1. 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 local funds.~~

#### **2. HIRING A FORMER EMPLOYEE/RETIREE AS A CONSULTANT**

All Funds - 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 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.

#### **3. HIRING A COMPANY EMPLOYING A FORMER OR RETIRED**

**EMPLOYEE** All Funds - allowed under a professional services contract only if the former 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 SFA.

#### 4. **HIRING AN EXECUTIVE DIRECTOR OF ANY STATE AGENCY FOR ANY CONTRACT**

~~4. All~~ Funds - Restrictions apply to contracts with a) the executive ~~director-head~~ 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-head~~ of the state agency; c) a person who employs a current or former executive ~~director-head~~ of a state agency. Reference *Texas Government Code Sec. 669.003* ~~Government Code 669.003 for details.~~

### **PROCEDURES FOR SECURING PROFESSIONAL OR CONSULTANT SERVICES**

1. Determine if the need is that of a professional or a consultant service. Contact the ~~purchasing~~ procurement director or Office of the General Counsel if assistance is needed in making this determination. *If a grant fund, contact the research and sponsored programs office for assistance.*
2. Determine if the selection of a professional or consulting service provider would be enhanced by *a solicitation process* ~~informal price or qualifications comparisons or a formal Request for Proposal or Request for Qualifications process~~. Contact the ~~purchasing~~ procurement director to discuss options.
3. ~~ENTER THE REQUISITION~~ *Enter a requisition in the banner system.* 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. *Do not wait until other paperwork is complete. Enter the requisition as soon as the need is known and defined.*
4. If the contract is a "~~M~~major ~~C~~consultant ~~C~~contract", the department must 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~~ procurement. All applicable rules associated with the amounts specified in 'Selection of a Provider' must be followed.
6. Professional or consultant agreements require a formal contract be reviewed by the Office of the General Counsel and signed by the president. See 'When Is a Contract Needed' on the ~~purchasing~~ procurement web-site.
7. The department may draw up a contract using samples provided by the general counsel, or ~~purchasing~~ procurement can assist in completing the contract. *If a grant, contact the research and sponsored programs office for assistance.* 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.~~

The contract must be reviewed by ~~SFA~~ general counsel and signed by the president or other administrator with written delegated contracting authority.

The completed contract with signatures of all parties must be forwarded to ~~purchasing~~ *procurement* for completion of the purchase order.

~~The FA~~ receiving entry must be *submitted* ~~made in the FRS system~~. Payment will be made through normal accounts payable procedures. To insure inclusion in a particular week's check run, the department should have payment information to accounts payable by the previous Friday.

The consultant's report, if applicable, must be on file in accounts payable before payment will be made.

**Cross Reference:** ~~Texas Government Code Title 10, Section 2254~~ *Tex. Gov't Code § 669.003; Tex. Gov't Code § 2252.901; Tex. Gov't Code Ch. 2254; Texas Government Code Title 10, Subchapter Z, Section 2252.901; Texas Government Code Title 6, Section 669.003; Ethics Policy (E-56); Purchasing Ethics and Confidentiality Policy (C-33); Items Requiring Board of Regents Approval Policy (D-20.5); Purchase Requisition (C-30)*

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

**Contact for Revision:** ~~Director of Purchasing and Inventory~~ *Procurement and Property Services/HUB Coordinator*

**Forms:** ~~Professional/Consulting Services Agreement~~ *Major Consulting Contract Request Form* ~~(General Counsel's web site)~~

**Board Committee Assignment:** *Finance and Audit*

## Substantive Change (A-70)

**Original Implementation:** August 26, 2008

**Last Revision:** ~~None~~ October 18, 2011

Stephen F. Austin State University (SFA) is committed to adhering to the policies and requirements of the Texas Higher Education Coordinating Board (THECB) and the ~~Commission on Colleges of the Southern Association of Colleges and Schools Commission on Colleges (SACS). In accordance with THECB and SACS policies,~~ Stephen F. Austin State University will notify THECB and SACS of substantive changes prior to implementation and, where required by rules, will request approval of changes. The university is also committed to establishing and maintaining procedures to ensure compliance with THECB and SACS policies and providing information to faculty and staff regarding curricular and organizational changes requiring notification and/or approval. ~~This policy applies to vice presidents, deans, department chairs, school directors, undergraduate and graduate program coordinators, university, college and departmental curriculum committees, and faculty and staff wishing to make a curricular or organizational change.~~

### Procedures

~~In accordance with THECB and SACS policies, Stephen F. Austin State University~~ The university will notify THECB and SACS of substantive changes prior to initiation and, where required by rules, will request approval of changes. The Office of the Provost and Vice President for Academic Affairs is responsible for submitting all communication to the appropriate governing body.

Substantive changes include but are not limited to:

- off-campus course and program offerings;
- distance education course and program offerings;
- online course and program offerings;
- transmission of courses or programs through electronic means including teleconferencing;
- courses and programs offered in conjunction with another institution through consortia or dual degree agreements;
- adding a significantly different program;
- offering courses or programs at a more advanced or lower level;
- significantly altering the length of a program;
- initiating degree completion programs;
- renaming or establishing new academic organizational units (e.g., departments or schools);

- establishing a branch campus or off-campus instructional site;
- establishing a merger or consolidation;
- discontinuing a program or instructional site; *and*
- changes in governance.

~~Stephen F. Austin State University~~ *The university* is required to notify THECB and SACS of substantive changes and to request approval in accordance with THECB and SACS policies. For example, SACS requires notification prior to implementation when offering 25-49% of the coursework required for program completion online, off-campus, or through distance education. SACS requires notification at least six months in advance and prior approval when offering 50% or more of the coursework required for program completion online, off-campus, or through distance education. Also, SACS requires notification, including submission of a prospectus, and approval six to 12 months before certain changes are initiated such as new degree programs that are a significant departure from current degree program offerings.

When preparing and reviewing course and program proposals that may involve a substantive change, proposal sponsors (i.e., faculty) and curriculum committees must follow and document adherence to curriculum review and approval policies and processes described in *the university policy on Curriculum Reviews, Modifications and Approvals (A-4)* ~~Policy A-4, Academic Curricula Review and Approval~~. In addition, academic units ~~proposing a new program or requesting approval for changes falling under the THECB or SACS definitions for substantive or organizational changes~~ must prepare a prospectus in accordance with the requirements outlined in the SACS Substantive Change Policy and ~~the~~ THECB substantive change guidelines. The SACS prospectus and/or THECB proposal must accompany the Curriculum Change Request.

The Office of the Provost *and Vice President for Academic Affairs* is responsible for conducting an ongoing review of curricular revisions to identify changes that may be substantive in nature and may require reporting or prior approval by THECB and/or SACS. The ~~p~~Provost and ~~v~~Vice ~~p~~President for ~~a~~Academic ~~a~~Affairs will make the final determination of changes ~~that are substantive in nature~~ and will initiate appropriate reporting and approval processes in compliance with THECB and SACS policies and procedures.

~~Additional information about the SACS Substantive Change Policy is available on their website <http://www.sacscoc.org/SubstantiveChange.asp>. Additional information about THECB Substantive Change procedures is available at <http://www.thecb.state.tx.us/reports/PDF/0205.PDF>.~~

**Cross Reference:** ~~Policy A-4, Academic Curricula Review and Approval~~ *Curriculum Reviews, Modifications and Approvals (A-4)*; **SACS Substantive Change Policy**; **THECB Substantive Change guidelines**

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

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

**Forms:** ~~Academic Affairs Forms~~ *Forms for program revision, course proposals, substantive change, distance education and laboratory/course fee requests are available at the Academic Affairs website <http://www.sfasu.edu/acadaffairs/>.*

**Board Committee Assignment:** *Academic and Student Affairs*



## Tenure (E-50A)

**Original Implementation:** April 27, 1970 & April 3, 1979

**Last Revision:** ~~July 15, 2008~~ October 18, 2011

*Tenure may be awarded according to established procedures after an appropriate probationary period, or when an individual who already has tenure at another institution is hired for a senior-level position. Tenure is awarded when the candidate successfully demonstrates meritorious performance in teaching, research/scholarly/creative accomplishment, and service. Extensions of employment beyond the probationary period should not be construed as entitlement to tenure. Tenure is only granted as prescribed in this policy. Tenure shall normally be restricted to full-time faculty members who have earned the highest academic degree customarily awarded in their field of study. Exceptions may be granted by the provost and vice president for academic affairs.*

*This policy establishes procedures to be used for tenure in all academic units of the university. Each college and the library shall also establish their own policies and procedures that are consistent with this policy. Academic units and the library are responsible for establishing standards of excellence in teaching, research/scholarship/creative work, and service for use in decisions regarding tenure, as well as promotion and merit.*

### I. General Provisions

#### ~~1.A. For purposes of this policy:~~ Definitions

— "Tenure" is a status that may be earned by faculty members and librarians who hold academic rank as defined in policy E-1A, Academic Appointments and Titles. Tenure allows these personnel to continue in their positions,

~~1. means the entitlement of a faculty member who holds academic rank as defined in policy E-1A, Academic Appointments and Titles to continue in his/her academic position unless dismissed for good cause or, circumstances of exigency, or discontinuance of a program or academic unit.-~~

~~1.~~

~~2. "Department/School" (referred hereafter as department) is a subdivision of a college. "Academic unit" normally refers to a subdivision of a college, but can also refer to the library (hereafter referred to as college).~~

~~2.~~

~~3. "Academic unit chair/director" is the administrator immediately responsible for the academic unit. Chair/Director of the Department" (referred hereafter as department chair) is the academic administrator immediately responsible for the department.~~

3.

4. "Tenure Review Portfolio" (referred to hereafter as *the portfolio*) ~~as used in this policy~~ *shall be defined as a set of verifiable materials showing demonstrating evidence of a candidate's credentials and suitability fitness for tenure. The portfolio should contain a succinct, relevant, substantive, and cumulative and relevant record of a candidate's performance during the probationary review period at Stephen F. Austin State University (SFA); for senior-level positions, the portfolio will consist of materials requested by the provost and vice president for academic affairs.*

5. "Academic Year" as used in this policy shall be the full nine month period from September through May.

~~4.—~~

~~5. Tenure is awarded by the institution according to established procedures after an appropriate probationary period on the basis of meritorious performance in teaching, research and/or scholarly/creative accomplishment and service. Faculty members who have not been granted tenure by the Board of Regents shall not be entitled to tenure by virtue of being employed at the university past the probationary period. Tenure shall normally be restricted to full-time faculty members who have earned the highest academic degree customarily awarded in their field of study; exceptions to this rule may be granted by the provost and vice president for academic affairs (VPAA).~~

~~10. This tenure policy establishes a system of procedures to be used for tenure in all academic units of the university. Each college and its departments of the university shall also establish its own written policies governing its tenure decision-making procedures which are consistent with this policy.~~

~~4.B. The university tenure policy relies upon several principles:~~

~~1.—Recommendations for granting or denying tenure shall be based on a verifiable record of performance.~~

~~1.~~

~~2. The required content of the portfolio and the academic unit departmental criteria shall be available to known by the candidate and the reviewers.~~

~~2.—~~

~~—The portfolio of all candidates within a given academic unit should conform to the same criteria, although While variation related to the nature of the candidate's activity is expected, the~~

~~3. content of the portfolio should conform to the same criteria for all candidates in the same department.~~

~~3.~~

~~4.—Tenure procedures must be applied consistently to all candidates within a college.~~

- 4.
- 5.— Each person in the review process has a professional responsibility to treat information that evaluates another's work as confidential unless otherwise required by law.
- 5.
6. Unconfirmed allegations of misconduct made against a candidate during the tenure review process shall not be considered by the reviewers (*but* confirmed professional misconduct that occurred during the probationary period is a valid consideration ~~for reviewers~~).

## ~~4-11.~~ II. Appointments

- A. With the exception of special appointments clearly limited to a brief association with the university and reappointments of retired faculty members on special conditions, all full-time appointments ~~to the rank of instructor or above~~ *eligible for tenure under policy E-1A, Academic Appointments and Titles shall be either 1) tenured, or 2) probationary.* ~~are of two kinds: probationary or tenured.~~

1. ~~Tenured a~~ Appointments ~~shall with tenure~~ require that, prior to the appointment, the ~~candidate~~ ~~appointee~~ ~~successfully complete tenure procedures specified in this policy.~~

1. ~~the procedure for granting tenure at this university. A probationary faculty member's tenure status and years of credit for probationary service will be specified in the initial appointment letter along with any conditions.~~

2. Probationary appointments are subject to annual renewal *at the university's discretion and are made on the basis of several factors.*

- a. *A probationary faculty member's tenure status and years of credit for probationary service will be specified in the initial appointment letter, along with any conditions.*

- 3.—

- 4.—Beginning with full-time appointment to the rank of instructor or above, the probationary period for a faculty member shall not exceed six ~~years~~ ~~years at this university~~, including within this period credit granted for appropriate full-time service in all institutions of higher education.

- b.

- 2.— The portfolio must be submitted in the fall semester of the final year of probationary service, unless permission is granted by the provost and vice president for academic affairs for earlier submission.

- c.

- d. *At the discretion of the provost and vice president for academic affairs, prior full-time service at another university may be counted toward fulfillment of the required probationary period for tenure at SFA. Normally*

*this credited time is no more than two years, and must be determined at the time of initial appointment to a tenure-track position.*

*e. Leaves of absence for appropriate scholarly reasons specified in Policy E-29A will count as part of the probationary period, unless an exception to this provision is agreed to in writing at the time the leave is granted.*

*f. Leaves of absence for one semester or more due to health-related issues or military service as specified in Policy E-29A shall not be counted toward fulfillment of the required probationary period, unless an exception to this provision is agreed to in writing at the time the leave is granted.*

*g. For purposes of calculating the period of probationary service, an "academic year" shall be the full nine-month period from September through May. If a faculty member begins service after September 1, the partial year shall not be counted toward fulfillment of the maximum probationary period.*

*h. Circumstances may justify adjustment of the probationary period. It is the faculty member's responsibility to provide documentation that demonstrates why an adjustment should be granted. This documentation must be submitted to and approved by the candidate's academic unit chair/director, dean, and then the provost and vice president for academic affairs.*

~~3. At the discretion of the university, prior full-time service at another university of normally no more than two years, but a maximum of three years, may be counted toward fulfillment of the required probationary period for tenure, and must be determined at the time of initial appointment to a tenure-track position.~~

~~4. Scholarly leave of absence (those related to reasons 1, 2, 3, and 4 of policy E-29A, Leave of Absence [Faculty]) will count as part of the probationary period unless the candidate and the institution agree in writing to an exception to this provision at the time the leave is granted.~~

~~5. Periods during which a faculty member is on leave of absence for one semester or more due to health-related issues or national guard service (see policy E-29A, Leave of Absence [Faculty]) shall not be counted toward fulfillment of the required probationary period unless the candidate and the institution agree in writing to an exception to this provision at the time the leave is granted.~~

~~6. For purposes of calculating the period of probationary service, an "academic year" shall be the regular nine-month period from September through May. If a faculty member begins service during an academic year, the period of service from the date of appointment until beginning of the following academic year shall not be counted as academic service toward fulfillment of the maximum probationary period.~~

1. ~~Circumstances may justify adjustment of the probationary period. It is the responsibility of the faculty member to provide appropriate documentation to demonstrate sufficiently why the request should be granted. This documentation must be submitted to and approved by the provost and VPAA through the candidate's department chair and dean.~~
  - 2-B. Notice of reappointment will be in writing and will specify the probationary faculty member's tenure status, years of credit for probationary service, and any special conditions. *Any special conditions contained in the initial appointment letter will continue to be in effect until expressly revoked regardless of whether such special conditions were re-published in the annual contract letter.*
  - 3-C. Notice of non-reappointment, or of intention not to reappoint a faculty member, will be ~~given~~ provided in writing according to a prescribed schedule. *Non-reappointment may be made for any lawful reason or no reason. in accord with the following schedule:*
    1. ~~For~~During the first year of probationary service, notice will be provided no later than March 1.
    2. ~~For~~During the second year of probationary service, notice will be provided no later than December 15.
    3. ~~For~~During subsequent ~~academic~~ years of a probationary appointment, the faculty member will be notified no later than August 31 that a terminal contract will be offered for the next full academic year.
1. ~~not later than March 1 of the first year of probationary service at Stephen F. Austin State University (SFASU);~~
  2. ~~not later than December 15 of the second year of probationary service at SFASU;~~
  - III. ~~or during a subsequent academic year of a probationary appointment, when the faculty member will be notified that a terminal contract is expected to be offered for the next academic year. Such notice must provide for an academic year (nine month) terminal contract.~~
- 4) Pre-tenure Reviews
- Each college and its *academic units* ~~departments~~ shall establish a pre-tenure review process that is approved by the dean and the provost and ~~VPAA~~ vice president for academic affairs, and copies must be filed ~~which formally reviews the progress of each of its faculty members toward the award of tenure at least once during a faculty member's probationary period. A copy of all college/department pre-tenure review policies must be filed in the offices of the provost and VPAA vice president for academic affairs and general counsel. Each faculty member's progress toward tenure shall be formally reviewed at least once during the probationary period. The pre-tenure review process must allow all tenured faculty members at the academic unit level, the academic unit chair/director, elected tenured faculty (one from each academic unit) at the college level, and the dean to~~for review ~~of~~ probationary faculty materials. *The candidate shall receive written*
- A. ~~by all tenured faculty members at the department level, the department chair, elected tenured faculty (one from each department) at the college~~

~~level and the dean. Written feedback that includes should be provided to candidates being reviewed highlighting strengths and weaknesses (with recommendations for addressing any weaknesses), along with a statement indicating whether the candidate is or is not progressing satisfactorily toward tenure, and a recommendation concerning the continuation of appointment the probationary candidate being reviewed. While annual reviews are encouraged, at a minimum, pre-tenure reviews must be conducted according to the following schedule:-~~

~~i. Faculty fulfilling a six-year or five-year probationary period must be reviewed in the third year of probationary service.-~~

~~1.~~

~~ii.2. Faculty fulfilling a four-year or three-year probationary period must be reviewed in the second year of probationary service.~~

~~B. A college or academic unit A college and its departments may elect to develop a mentoring system to assist probationary faculty in their professional development.~~

~~B.~~

## ~~2) IV. Tenure Reviews Awards~~

~~A. Each college and its academic units shall establish a tenure review process that is approved by the dean and the provost and vice president for academic affairs, and copies must be filed in the offices of the provost and vice president for academic affairs and the general counsel. The process must allow all tenured faculty members at the academic unit level, the academic unit chair/director, elected tenured faculty (one from each academic unit) at the college level, and the dean to review probationary faculty materials. Each college and its departments shall establish a tenure review process that is approved by the dean and the provost and VPAA. A copy of all college/departments tenure review policies must be filed in the offices of the provost and VPAA and general counsel. The tenure review process must allow for review of faculty being considered for tenure by all tenured faculty members at the department level, the department chair, elected tenured faculty (one from each department) at the college level and the dean. The academic unit department, with approval of the college dean and the provost and vice president for academic affairs, shall establish the tenure criteria for in teaching effectiveness, research/scholarly/creative accomplishments, and rendered service.~~

~~B. During the academic year of probationary service prior to the year of the final tenure review, the academic unit department chair/director shall meets with the candidate to discuss the tenure review process including the requirements for preparation of the portfolio, which The portfolio is due the following fall semester.~~

~~1. A candidate must apply for tenure in the final year of probationary service, according to the date specified in the initial contract and/or the schedule set by the provost and vice president for academic affairs.~~

1. ~~faculty member may apply for tenure or be nominated by a tenured faculty member, the department chair, or other appropriate administrative officer of the university.~~
3. ~~Candidates are responsible for preparing and submitting a portfolio that, in consultation with the department chair, are responsible for developing a succinct portfolio demonstrates how the candidate meets or exceeds the tenure criteria. The portfolio should consist consisting of relevant supporting materials, including a table of contents, current vitae, all annual faculty activity reports, all pre-tenure reviews, all administrative evaluations, and other materials that may be required by the academic unit department. The candidate may consult with the academic unit chair/director (or dean) in preparation of the portfolio.~~
- 1.2. ~~In the portfolio, candidates must clearly address how they meet or exceed each of the departmental tenure criteria.~~
  - ~~Faculty members in who occupy administrative positions will submit their portfolio to their immediate administrative supervisor who~~
- 2.3. ~~The administrative supervisor alone will receive the recommendations and supporting comments from the tenured faculty reviews at the academic unit department and college levels. In all other respects the review process for faculty in administrative positions will be consistent with the approved faculty review process for their college.~~
- 3.4. ~~Faculty members with concurrent appointments in two academic unit departments and/or two colleges will be evaluated by both academic unit departments and/or colleges.~~
- C. ~~The tenure application and portfolio must be submitted and evaluated by the appropriate departmental and college committees and administrators during the fall semester of the final probationary year of employment.~~
- D. ~~Within five (5) class days of completion of the evaluation by the tenured faculty from the candidate's department and the chair of the candidate's department, the candidate shall will be notified in writing within five (5) class days after the academic unit chair/director completes all recommendations regarding applications for tenure. by the chair of the department of the status of his/her application for tenure and the recommendation from the tenured faculty and chair. Within five (5) class days of being allowed to reviewing the written recommendations and supporting comments, the candidate may attach a letter of response addressing errors of fact in the recommendations. Such a notification and any subsequent response by the candidate will become part of the candidate's portfolio dossier.~~
- C.
- E. ~~Within five (5) class days of completion of the evaluation by the tenure committee from the candidate's college and the candidate's dean, the~~

~~candidate will be notified in writing by the dean of the college of the status of his/her application for tenure and the recommendation from the college committee and dean. Within five (5) class days of being allowed to review the written recommendations and supporting comments the candidate may attach a letter of response addressing errors of fact in the recommendations. Such a notification and any subsequent response by the candidate will become part of the dossier.~~

D. *The candidate shall be notified in writing within five (5) class days after the college tenure committee and dean complete all recommendations regarding applications for tenure. Within five (5) class days of reviewing the written recommendation and supporting comments, the candidate may attach a letter of response addressing errors of fact in the recommendation. Such a notification and any subsequent response by the candidate will become part of the candidate's portfolio.*

~~F. After the college has completed its tenure review, the~~*The complete portfolio along with department and college recommendations and supporting comments shall then be* submitted to the provost and ~~VPAA vice president for academic affairs~~ for review. The provost and ~~VPAA vice president for academic affairs~~ *shall will submit the complete portfolio and -a recommendation to the president, and notify the candidate of the university his/her recommendation, along with all supporting materials and the recommendations generated at each preceding stage of the evaluation. At the same time, the provost and VPAA will notify the candidate of the his/her recommendation to the president.*

E.

~~G.F.~~ The president of the university ~~shall will~~ review the *complete portfolio se materials and recommendations and any other evidence deemed pertinent as a basis for a his/her recommendation to the Board of Regents. that the candidate be awarded tenure.*

~~4. A recommendation by the president for tenure must be approved by the Board of Regents before becoming official. Tenure may only be granted by official action of the Board of Regents. Tenure is awarded by action of the Board of Regents of SFASU.~~

~~H.~~ Within the next class day -following the action of the Board of Regents each candidate *shall will* be notified in writing by the provost and ~~VPAA vice president for academic affairs~~ of the board's action ~~of the board.~~

G.

### ~~3) — V. Procedural Guarantees Relating to Termination and Non-Renewal of Contracts~~ *Procedural Guarantees*

- a. A. Tenured Faculty ~~or~~ and Probationary Faculty with an Unexpired Appointment Extending Beyond -the Date of Proposed Dismissal-
  - 1. Good cause for the dismissal of *a tenured or probationary faculty member a faculty member with tenure or a probationary faculty member* whose specified term of employment has not expired includes; but is not limited to, ~~the following~~: moral turpitude;



- conviction by a trial court of any felony; professional incompetence; substantial neglect of professional responsibilities; *finding of sexual harassment/misconduct or discrimination*; bona fide financial exigency or phasing out of programs *or an academic unit* requiring faculty reduction; and physical or mental disability of a continuing nature rendering the faculty member unable to perform ~~his/her~~ professional responsibilities *of the position*.
- 2.—The burden of proof that good cause exists for dismissal rests with the university. The burden of proof shall be by preponderance of the evidence.
- 2.
- 3.—*Dismissal shall be preceded by discussion between the faculty member and appropriate administrative officers of the university. If a mutual settlement cannot be achieved, a written statement of specific charges shall be prepared by the president or the president's designee.* ~~Dismissal of a faculty member with tenure or a probationary faculty member whose specified term of employment has not expired will be preceded by:~~
- 4.—~~discussion between the faculty member and appropriate administrative officers of the university, and~~
- 5.3. ~~if the conferences fail to achieve a mutual settlement, a written statement of specific charges will be prepared by the president or the president's delegate.~~
- 6.—~~If a written statement of specific charges~~ *an official statement of charges against a faculty member is issued, the faculty member has* ~~will have~~ the right to a hearing by a hearing committee of the grievance panel ~~(see Academic Committees)~~. *Service of notice of the hearing with specific charges in writing shall* ~~will be served~~ ~~made~~ at least twenty (20) calendar days prior to the hearing. Hearings ~~must~~ *should* be completed by the end of the semester in which the faculty member has been served with the notice of hearing and specific charges, or by the end of the fall semester if notice is served during the summer. *At the faculty member's option, the hearing may be open or closed.*
- 4.
- a) a. The hearing committee ~~shall be a subcommittee of the Grievance Panel comprised of seven members, is selected from as follows from the grievance panel; three shall be selected by the aggrieved faculty member, three by the president's designee/ delegate, and one by lot/ random selection. Each party~~ *The faculty member and the university may each challenge the selection of* ~~will have a maximum of two committee members challenges without stated cause.~~

- b. ~~Once constituted, the hearing committee shall assign members' roles will and establish procedures to carry out its responsibilities. and establish its procedures.~~
  - a. ~~At the faculty member's option, the hearing may be open or closed.~~
  - c. The hearing committee will not be bound by strict rules of legal evidence and may *consider* ~~admit~~ any evidence ~~which is of probative value in determining the issues involved.~~ The ~~Hearing~~ committee's finding of fact and ~~recommendation~~ ~~decision~~ will be based solely upon the hearing record.
  - d. ~~-~~
    - b) The hearing committee's ~~recommendation~~ ~~decision~~ and the basis for it will be communicated in writing to the faculty member and the president. It will be accompanied by a verbatim written record and audio recording of the hearing.
  - e. If the hearing committee concludes that good cause for dismissal has not been established by the evidence in the record and the president rejects the committee's ~~recommendation~~ ~~conclusion~~, ~~the he will state his reason(s) for doing so shall be stated~~ in writing to the committee and the faculty member. The president will provide a reasonable time for response before ~~presenting~~ ~~transmitting~~ the case to the Board of Regents.
- ii. ~~When it is the president's final judgment to recommend dismissal, the recommendation, he will transmit to the Board of Regents a verbatim written copy of the record of the hearing, and the report of the hearing committee, and his/her recommendation regarding dismissal shall be presented to the Board of Regents.-~~ If the recommendation of the president for ~~termination~~ ~~dismissal~~ conflicts with the recommendation of the hearing committee, the Board of Regents will review the case based on the record of the hearing, with opportunity for argument by the ~~principals or their representatives~~ ~~faculty member and president's designee~~. If the recommendations of the president and the hearing committee are in accord, the Board of Regents may choose to limit its review to a review of the record of the hearing. ~~Following the board's decision, the~~ Board of Regents chair will communicate the decision in writing through the president of the university to the chair of the hearing committee and the faculty member.

4.—6. Pending action by the Board of Regents the faculty member may be suspended without pay and immediately removed from the university, or assigned to other duties with pay, if *the faculty member: he/she* (1) poses a continuing danger to persons or property; (2) disrupts the orderly operation of the university; (3) endangers the education of students; *or* (4) has been convicted by a trial court of ~~any~~ felony or a crime of moral turpitude. In ~~such~~ *cases of suspension or reassignment*, the president shall set a hearing before the appropriate administrator or committee on the faculty member's case as soon thereafter as is practical unless otherwise waived by the faculty member.

7. *Faculty members with tenure subject to termination on the basis of post-tenure review shall be given the opportunity for referral of the matter to a nonbinding alternative dispute resolution process as described in Chapter 154, Civil Practice and Remedies Code, or other type of alternative dispute resolution as mutually selected by the faculty member and president or president's designee.*

*B. Probationary Faculty Whose Contract is Not Renewed*

1. *A probationary faculty member who has been notified of non-reappointment may appeal only on presentation of a prima facie case that constitutional guarantees or academic freedom was violated. Appeals shall adhere to the following schedule:*
  - a. *Non-reappointment on or before March 1 during the first year of probationary service must be appealed within 30 days of notification.*
  - b. *Non-reappointment on or before December 15 during the second year of probationary service must be appealed within 60 days of notification.*
  - c. *Non-reappointment during a subsequent year of probationary service must be appealed within 30 days after the beginning of the next fall term.*
2. *The burden of proof ~~off~~ for allegations of abridgement of constitutional guarantees or academic freedom is upon the probationary faculty member. The burden of proof shall be by the preponderance of the evidence.*
3. *A faculty member who alleges abridgement of constitutional guarantees or academic freedom shall present evidence to a grievance panel advisory committee.*
  - a. *The committee shall be comprised of five members selected from the grievance panel; two shall be selected by the faculty member, two by the president's designee, and one by lot. The faculty member and the university may each challenge the selection of one committee member without stated cause.*

- b. *The committee shall assign members' roles and establish procedures to carry out its responsibilities.*
- c. *Hearings should be completed by the end of the semester in which the appeal is filed, or by the end of the fall semester if an appeal is filed during the summer.*
4. *If the advisory committee finds probable cause that there was an abridgement of constitutional guarantees or academic freedom, conferences between the faculty member and appropriate administrative officers of the university will be scheduled. If the conferences fail to achieve a mutual settlement, the faculty member's institutional due process is completed.*
5. *If the advisory committee finds no probable cause that there was an abridgement of constitutional guarantees or academic freedom, the faculty member's institutional due process is completed.*
6. *A written report of the advisory committee's finding will be sent to the president and to the faculty member.*

C. ~~Probationary Faculty Whose Contract is Not Renewed~~

2. ~~A probationary faculty member who has been notified of non-reappointment according to the schedule set forth in this policy may appeal non-reappointment only on presentation of a prima facie case that constitutional guarantees or academic freedom were violated. Appeals must follow the following schedule:~~
  1. ~~Appeal of non-reappointment on or before March 1 for the first year of probationary service at SFASU must be filed within 30 days of non-reappointment.~~
  2. ~~Appeal of non-reappointment on or before December 15 for the second year of probationary service at SFASU must be filed within 60 days of non-reappointment.~~
  3. ~~Appeal of non-reappointment during a subsequent academic year of a probationary appointment or of a tenure decision must be filed within 30 days after the beginning of the next immediate fall term.~~
2. ~~The burden of proof of allegations of abridgement of constitutional guarantees or academic freedom is upon the probationary faculty member. The burden of proof shall be by the preponderance of the evidence.~~
3. ~~A faculty member who alleges abridgement of constitutional guarantees or academic freedom will present evidence to a committee of the Grievance Panel.~~
  1. ~~An Advisory Committee to hear the evidence will be composed of five members selected as follows from the Grievance Panel: two members selected by the faculty member, two by the president or the president's delegate, and one by lot. Each party will have one challenge without stated cause.~~
  2. ~~Once constituted, the Advisory Committee will organize itself to carry out its responsibilities and establish its procedures.~~
  3. ~~Hearings must be completed by the end of the semester in which the appeal is filed or by the end of the fall semester if an appeal is filed during the summer.~~

4. — If the Advisory Committee finds probable cause that there was an abridgement of constitutional guarantees or academic freedom, conferences between the faculty member and appropriate administrative officers of the university will be scheduled. If the conferences fail to achieve a mutual settlement, the faculty member's institutional due process is completed.
5. — If the Advisory Committee finds no probable cause that there was an abridgement of constitutional guarantees or academic freedom, the faculty member's institutional due process is completed and a written report of the Advisory Committee's finding will be sent to the president and to the faculty member.

2. — Financial Exigency

- i. — 3. — Termination of an appointment with tenure, or of a probationary or special appointment, before the end of the specified term may occur under extraordinary circumstances because of bona fide financial exigency; i.e., an imminent financial crisis, which threatens the continuation of a strong academic program and which cannot be alleviated by less stringent means. The responsibility for demonstrating the existence and extent of the financial exigency will rest with the administration.

If the institution, because of financial exigency, terminates appointments with tenure, or probationary or special appointments before the end of the specified term, it will not at the same time make new appointments except in extraordinary circumstances where a serious distortion in the academic program would otherwise result. Employment of a faculty member with tenure will not be terminated in favor of retaining a faculty member without tenure, except in extraordinary circumstances through which a serious distortion of the academic program would otherwise result.

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1. — 5. — Before terminating an appointment because of financial exigency, the appropriate university administrator, with faculty participation, will make every reasonable effort to place the faculty member concerned in another position within the university for which he/she is professionally qualified.
2. — In each case of termination of appointment because of financial exigency, A probationary faculty members concerned will be given notice not less than as prescribed in this policy. A Tenured faculty members will be given notice at least twelve months prior to termination of appointment.
3. — 6. — In each case of termination of an appointment with tenure because of financial exigency, the place of the faculty member concerned will not be filled by a replacement within a period of two calendar years, unless the released faculty member has been offered reinstatement and at least sixty days in which to accept or decline it.

4. ~~A faculty member who alleges abridgement of constitutional guarantees or academic freedom, in such an emergency will be afforded due process. in accord with this policy.~~

~~B. Discontinuance of Program or Department Not Mandated by Financial Exigency~~

- ~~— Termination of an appointment with tenure, or of a probationary or special appointment, before the end of the specified term may occur as a result of bona fide formal discontinuance of a program or department of instruction.~~

- ~~— The following standards and procedures will apply~~

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5. ~~The decision to discontinue formally a program or department of instruction will be based essentially upon educational consideration as determined by the university administration after consultation with the affected faculty and appropriate standing or ad hoc committees.~~

1. ~~Before the administration issues notice to a faculty member of its intention to terminate an appointment because of formal discontinuance of a program or department of instruction, the University institution will make every reasonable effort to place the faculty member concerned in another position within the university for which he/she is professionally qualified.~~
2. ~~In each case of termination of appointment because of program discontinuance, probationary faculty members concerned will be given notice not less than as prescribed in this policy. Tenured faculty members will be given notice at least twelve months prior to termination of appointment.~~
3. ~~A faculty member who alleges abridgement of constitutional guarantees or or academic freedom will be afforded due process in accord with this policy.~~

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~~†The university has a uniform procedure by which charges of discrimination made by employees or students are considered.~~

**Cross Reference:** ~~Policy E-1A, Academic Appointments and Titles (E-1A); Policy E-29A, Leave of Absence (Faculty) (E-29A); Policy A-25, Academic Freedom and Responsibility (A-25); Post-Tenure Review (E-29A); Discrimination Complaints/Sexual Harassment (E-46); Tex. Educ. Code § 51.942(d).~~

**Responsible for Implementation:** President

**Contact for Revision:** President

**Forms:** Faculty Activity Report; Administrative Evaluation; Promotion/Tenure Application

***Board Committee Assignment:*** Academic and Student Affairs

## Travel (C-49)

**Original Implementation:** October 31, 2000

**Last Revision:** ~~July 19, 2011~~ October 18, 2011

### 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~~ *travelers except as noted herein*. 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. Expenses paid above the allowable limits will be reported annually to administration as excess travel expenditures.

Employees traveling under contracts and grants (federal, state, local, or private) shall be reimbursed for travel expenses and allowances on the same basis as other university employees, except in those instances where the terms of the contract or grant specify travel guidelines and reimbursement rates which differ from university reimbursement rates.

### General Travel Regulations

Generally, the Texas Comptroller of Public Accounts (*TCPA*) is the authoritative source regarding travel rules and regulations. ~~Their~~ *TCPA* travel requirements are located online at the travel website. In case of conflict between ~~their~~ *TCPA* guidelines and this policy, this policy takes precedence *except where state of Texas law prevails. The university president, at his/her discretion, may establish lower travel reimbursement rates than stated in this policy. Travelers will be notified in advance of the effective date of any rate change.*

The university shall make every effort to ensure that travel expenses paid and/or reimbursed are reasonable and the most cost-effective considering all relevant circumstances.



A state employee is responsible for ensuring that his or her travel complies with applicable state law and SFA's travel policy. Failure to comply will result in reimbursement delays or rejection of the employee's travel voucher. Fraudulent travel claims will be grounds for disciplinary action.

Employees and others traveling on behalf of the university are reimbursed for actual lodging expenses *up to the maximum allowable rates*, and on a per diem basis for meals, subject to the provisions of this policy. *(See sections pertaining to lodging and meals, below, for maximum reimbursement rates.)* In the case of employees traveling together, each must pay and claim reimbursement for his/her own expenses (except taxi or limousine expenses - see Incidental Expenses section of this policy). No expenses can be reimbursed to the traveler until the trip has been completed and a properly documented travel voucher is submitted. ~~except prepaid expenses such as airfare. (See Airline Ticket Purchase section below.)~~

Tips and gratuities are *generally* not reimbursable. *(See Student and Other Group Travel section below for exception.)*

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. Travel requests must be submitted online according to the instructions available on the travel website. All estimated expenses of the trip ~~are to~~ *must* be reflected on the travel request regardless of how they are to be paid. *(See Registration Fees section below.)* ~~i.e. registration paid by voucher or p-card).~~ A travel request must be submitted and approved at all applicable levels even if no travel expenses are anticipated.

The online travel request can be approved only when account balances are sufficient to cover the total estimated cost of the trip. Whenever possible, the travel request should be entered and approved at least seven (7) working days prior to departure.

NOTE: Expenses cannot be reimbursed from an account not listed on the approved request.

### **Travel to Washington, DC**

An employee traveling to Washington, DC to confer on legislative or appropriations issues 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 of State Agency Travel to Washington, DC (available on-line at the travel website) will meet this requirement when submitted prior to the trip.

### **Foreign Travel**

Official university business travel to any foreign country other than Canada or Mexico requires advance written approval from the president of the university. 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 online travel request must be approved at all the appropriate administrative levels in sufficient time to be reviewed and approved by the president prior to the date of departure.

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

An individual corporate charge card is available for eligible employees. To be eligible 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 *travel*. An employee is not required to apply for or accept a state-issued charge card.

The state-issued 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 the credit card company, the employee agrees to be bound by the card member agreement which will be sent with each card. Additionally, the employee agrees to be bound by the state policies governing the use of the card. Applications and further information concerning this program are available ~~in the controller's office or~~ online at the travel website. The employee, the employee's supervisor, and the travel ~~manager in the controller's office~~ *manager* must sign the application. *The corporate charge card must be returned to the university for cancellation upon termination of employment or transfer to a non-travelling position.*

### **Advance Travel Funds**

Advance travel funds are available for employees who wish to obtain money in advance of the trip and who are ineligible to apply for the individual corporate charge card. Employees eligible to apply for the corporate credit card are not eligible for advances; however, any employee may request advance travel funds when taking student groups. Advance travel funds may be requested by entering an online travel request (see online instructions for complete details). The minimum amount of advance funds that can be obtained is \$100. The maximum amount of advance funds that can be obtained is 50 percent of the traveler's anticipated out-of-pocket expenditures. Exceptions to this 50 percent limit will be made for road bus drivers. Other exceptions must be approved by the appropriate vice president or the president.

To receive advance travel funds, the travel request with —Advance” in the comments field should be entered and approved at least seven (7) working days prior to departure. An advance will not be issued unless the travel request has been approved. 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 15 days from the ending date of the trip, except at fiscal year end when the travel office will establish the deadline. An employee receiving advance travel funds will be ineligible for future travel advances until the outstanding travel voucher is submitted. An employee who receives an advance and does not travel must immediately return the advance funds. Abuse of the travel advance privilege will result in ineligibility for future advances and the employee may be subject to disciplinary action.

An advance travel check will only be issued prior to the trip. No advancement is authorized if the trip has already 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 the travel voucher approved by the travel office (available online at the travel website) and signed by the traveler. If the voucher exceeds the original request by more than \$50, a revised travel request must be approved at all applicable levels. The travel voucher must reflect the total reimbursable expenses paid by the employee, regardless of whether advance

travel funds were received. Expenses paid by the university should not be on the travel voucher. Original 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. See Student and Other Group Travel, below.

The travel voucher should be submitted, with original receipts attached, to the controller's travel office within 15 days from the ending date of the trip, except at fiscal year end when the deadline will be established by the travel office. All prior year encumbrances will be cancelled after the end of the fiscal year.

Conference, workshop, or meeting agendas are required to be attached to the travel voucher. The registration fees paid often include the cost of certain meals provided during the event. An employee cannot claim per diem for the meals that are included in the cost of the conference.

### **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 online at the travel website. Documentation of the conversion calculation must be attached to the travel voucher. Receipts are required for all reimbursed expenses. In lieu of providing receipts and foreign currency conversions for foreign meals, travelers may elect to be reimbursed at in-state per diem rates.

### **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.

*If the actual cost of lodging exceeds a locality's lodging allowance, an employee may reduce the maximum meal and incidental expenses (MIE) 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.*

The State Travel Management Program of the Texas Procurement and Support Services (TPASS) has contracted with several commercial lodging establishments for special rates. The contracted vendors and rates are listed on the Texas Comptroller of Public

Accounts website. Employees are encouraged to utilize the contracted vendors when possible.

**Travel Tip:** The governmental rate for lodging is usually less than the conference rate. Employees should check the governmental rate first. Since there is often a limited number of rooms available at the governmental rate, employees should make hotel reservations far in advance of the travel dates.

### **In-State Lodging**

Travelers may be reimbursed for the actual cost of lodging, not to exceed the travel rates published by the *Texas* Comptroller of Public Accounts. Generally, the rates listed refer to amounts designated in the federal Domestic Per Diem Rates published by the U.S. General Services Administration (GSA). However, if a specific area is not listed, the comptroller's published rate will apply. The president may, at his discretion, establish a lower rate. Travelers will be notified in advance of the effective date of any rate change.

Hotel taxes are not included in maximum lodging reimbursement rates. Local taxes on the allowable lodging cost will be reimbursed and should be recorded as lodging tax on the travel voucher. 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 online at the travel Web site) to commercial lodging establishments at check-in. Employees should also be prepared to show proof of state employment.

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

The Texas ~~State~~ Comptroller of *Public Accounts* provides the maximum reimbursement rates for out-of-state lodging. A list of the rates, which is updated from time to time, is available online at the travel website. Within the continental United States, lodging reimbursement is limited to the locality-based allowance as stated on the Domestic Maximum Per Diem Rates published by the GSA. For cities and counties not included on the list, the allowance is the Continental US (CONUS) rate established for lodging in that state. Since employees are not exempt from any tax for out-of-state or international travel, they may be reimbursed for hotel occupancy taxes paid on the allowable lodging costs. 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 and incidental expenses (MIE) 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 his 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 must 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 for road bus drivers is subject to the discretion and approval of the director of the physical plant.

Meals are eligible for reimbursement if travel includes an overnight stay. The following table sets the per diem rate of reimbursement:

	IN-STATE	OUT-OF-STATE**
	With Overnight Stay	With Overnight Stay
Breakfast	\$6.50	17% of locality-based allowance
Lunch	\$11.50	33% of locality-based allowance
Dinner	\$18.00	50% of locality-based allowance
TOTAL	\$36.00	

\* Within the continental United States, meal and incidental expenses (MIE) reimbursement is limited to the federal Domestic Per Diem rates provided by the GSA. For cities and counties not included on the list, the allowance is the CONUS rate established in that state for meals and incidental expenses. Per the GSA's website, incidental expenses include tips and transportation between places of lodging or business and places where meals are taken. When using the MIE rate, these costs will not be separately reimbursed. Travelers to Alaska, Hawaii, or a foreign country may be reimbursed for actual, reasonable costs.

Meal per diems for initial day of travel and final day of travel will be based on the following schedule according to departure and arrival times.

Initial day of travel:

Breakfast – must depart no later than 6:00 AM

Lunch – must depart no later than 11:30 AM

Dinner – must depart no later than 6:00 PM

Final day of travel:

Breakfast – must return after 8:00 AM

Lunch – must return after 1:30 PM

Dinner – must return after 8:00 PM

No per diem meal reimbursement is allowed for trips not including an overnight stay.

The daily reimbursement rate for meals and incidental expenses is established by state and federal government regulation and is subject to change. ~~The president, at his discretion, may establish a lower rate. Travelers will be notified in advance of the effective date of any rate change.~~

Some registration fees include meals. In this case, the registration fee is fully reimbursable but the employee must not claim per diem for the included meal, according to the applicable rates above.

Meals purchased for the traveler by another person or entity are not reimbursable. In this instance, the employee must not claim per diem for that meal, according to the applicable rates above.

In the case of employees traveling together, each must pay and claim his own expenses.

Receipts are not required for meal expenses except for group and foreign travel. (Refer to the Student and Group Travel section of this policy.)

#### **Travel To/From the Duty Point; Travel Before/After Conducting Official Business**

Subject to the other provisions of this policy, meals and lodging expenses may be reimbursed for travel expenses to/from the duty point and prior to/after conducting official business. This is only as necessary, and generally limited to no more than one day

before/after the business event, unless it is financially beneficial to the university (e.g., when discounted airfare requires Saturday night stay and the additional expenses incurred (hotel/meals/transportation) would not exceed the airfare savings). In these instances, the total net savings must be documented and attached to the travel voucher.

### **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 between two duty points. Google Maps (available online at the travel website) calculates the mileage between two locations. When both locations are in the Google Maps database, the employee may be reimbursed for the number of miles calculated by the Google Maps website. A copy of the Google Map mileage calculation must be included with the travel voucher. When one or both locations are not in the Google Maps database, the number of reimbursable miles is calculated by the employee's odometer. Mileage determined by use of the employee's odometer must be itemized on a point-to-point basis on the travel voucher. Any vicinity mileage at the destination location must also be itemized separately on a point-to-point basis. For the purposes of this paragraph, "point" means a building, house, highway intersection, or other similarly localized spot. A Point- to-Point Odometer Log is available in the forms section of the travel website if needed.

The maximum reimbursement rate for use of an employee's personal vehicle is established by state and federal regulation, and is subject to change. ~~The president, at his discretion, may establish a lower rate. Travelers will be notified in advance of the effective date of any rate change.~~

### **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 — *Board of Regents, University President, President's Spouse, and When Representative of the University President***



*Members of the Board of Regents, the president, and the president's spouse are reimbursed for actual expenses when traveling on university business in an official capacity.*

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, and the employee may only claim his/her own expenses.

### **Registration Fees**

The registration fee for attendance at a professional meeting *or conference must be reflected on the travel request regardless of how it is paid. The registration fee can be paid in any of three ways after the travel request has been approved:*

- *by the traveler* – the registration fee is reimbursable to the traveler after the trip when submitted on the travel voucher with the original receipt.
- *with a procurement card (p-card)* – the state-issued p-card may be used to prepay registration fees.
- *by purchase voucher* – ~~w-is reimbursable if the fee was approved on the travel request. Following the trip the employee will be reimbursed for out-of-pocket costs for registration fees (not paid as a direct pay or with a p-card) when submitted on the travel voucher with the original receipt.~~

*When requested in sufficient time, the university will prepay the registration fee to the organization sponsoring the conference ~~for official business conferences and seminars.~~ A purchase voucher approved by the appropriate account manager must be submitted to the travel office along with the ~~If the meeting is held out of town, the employee must first obtain approval to travel by submitting a travel request showing the registration fee as a part of the estimated cost of the trip.~~ Additionally, the completed registration form- and with the travel request number written on it must be submitted to the controller's office. ~~well in advance of the payment due date.~~ Registration fees may not be paid more than six (6) weeks in advance of the seminar or conference unless the cost savings is considerable to the university (such as early-bird discounts) or if there is a limited capacity for attendance. ~~Advance payment is allowed only when the voucher is payable to the organization sponsoring the conference.~~*

Attendance at in-town conferences does not require a travel request. Employees may be reimbursed for in-town registration fees by submitting an online purchase requisition and sending the original receipt to accounts payable. 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 held out of town, the employee must first obtain approval to travel by submitting a travel request showing the registration fee as a part of the estimated cost of the trip. Additionally, the completed registration form with the travel request number written on it must be submitted to the controller's office well in advance of the payment due date. Registration fees may not be paid more than six (6) weeks in advance of the seminar or conference unless the cost savings is considerable to the university (such as early bird discounts) or if there is a limited capacity for attendance. Advance payment is allowed only when the voucher is payable to the organization sponsoring the conference.~~

~~The state issued procurement card may also be used to prepay registration fees after a travel request has been approved.~~

### **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 Texas Procurement and Support Service has contracted with several airlines to provide special airfare rates for certain flights. A listing of the flights and rates is available online at the travel website.

Employees are encouraged to make flight reservations at discounted fares. Often this requires that the ticket be purchased well in advance of the travel date. Upon approval of the travel request, employees may make the airfare purchase personally or have it charged to the university, using the following procedures:

After a travel request has been approved, an employee may personally pay for an airline

ticket and receive funds from the Cash Advance Account by submitting an original receipt to the travel office. These funds will be treated as a cash advance requiring submission of a properly completed travel voucher within fifteen (15) days after the end of the trip, but will not be subject to the 50% limit. An employee wishing to charge an airline ticket directly to the university must submit an Airfare Billing Form (available from University Printing Services) to the ~~controller's~~ travel office. After approval, the employee must present the signed form to a local participating travel agency (list available online at the travel website). The travel agency will book the flight and charge the expense to the university rather than to the employee.

If it is necessary to change an airline ticket, the traveler may be reimbursed for the additional fee only if there is a valid reason for the change as outlined by TPASS. The reason must be documented in writing, and approved by the account manager. If the total cost of the trip, including the additional fee, exceeds the original approved request, a revised request must be submitted and approved at all levels.

A traveler will not be reimbursed for a second ticket to or from the same destination.

The university cannot reimburse an employee for the cost of air transportation by a non-commercial transportation company.

### **Use of Non-University Owned Vehicle While on Official Business**

An employee operating a personal vehicle must carry insurance as required by state law. An employee operating any non-university owned vehicle, including his own personal vehicle or a personally rented vehicle, does so at his own risk. The university accepts no responsibility for vehicle or other damage, personal injury, claims filing, vehicle repair, maintenance, insurance costs, towing or citations.

### **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 Texas Travel Management Program 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 online at the travel website with detailed instructions for making your reservation at the state contracted rate.

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 to and from the airport such as taxi, limousine, subway, bus and other modes of mass transit are reimbursable, subject to the provisions of this section. (Travel to and from restaurants at the destination are not reimbursed since the MIE rate includes these expenses.) 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, it is allowable for one employee to pay and be reimbursed for that full 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 *and* ~~expenses that would be incurred by the employee regardless of official state business travel; tips and gratuities.~~**

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

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

When a non-employee group, such as a student group, travels together, it may be more convenient for one person to pay and claim expenses of the entire group. In this case, the person paying the expenses will be responsible for submitting the travel request and the travel voucher. Receipts are required for all expenses of group travel, including meals.

The students may be given funds for their meals by signing individually on a list of names (including their campus ID) of all travelers that they have received a certain sum of money for their meals (not to exceed university per diem rates per day). If the sponsor pays for meals, the itemized receipts must be attached to the travel voucher in order to be reimbursed. Additionally, the signed list of all travelers' names and campus IDs must be included on the travel request and attached to the travel voucher.

*Tips or gratuities paid in conjunction with meal expenses are generally not reimbursable. A "mandatory" service charge may only be reimbursed if the service charge is imposed by an establishment and cannot be refused by the customer. In this case, the person paying the expenses must obtain and submit documentation that the charge was mandatory*

If the group sponsor/advisor is an employee, he may request advance travel funds (not subject to the 50% limit) 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. Refer to the Group Travel Guidelines available online at the travel website.

No Educational and General Funds (fund 10755x or 12xxxx or 13xxxx funds) 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. Additional methods of payment are available to pay expenses incurred during the interview process and are listed on the Travel Request-Prospective Employee form (available online at the travel website).

### **Non-Reimbursed Travel**

A travel request is required for any out-of-town university-related travel even if travel expenses are not reimbursed. Examples include travel:

- for which university funds are not approved;
- for which the traveler does not request or expect reimbursement; or
- which has been paid by another source.

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. Faculty members requesting to leave campus for travel that is not university-related should notify their department chair and dean; if the absence will be for a day or longer, faculty should file a leave of absence request but do not need to file a travel request.

**Cross Reference:** Intercollegiate Athletics Policy Manual; Texas State Travel Management Program; Internal Revenue Service, Publication 463

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

**Contact for Revision:** Controller

**Forms:** Travel Request, Travel Voucher, Texas Hotel Occupancy Tax Exemption Certificate, Point-to-Point Odometer Log, Purchase Voucher, Report of State Agency Travel to Washington, DC, Corporate Travel Charge Card Application, and Travel Request-Prospective Employee (all available online at the travel website); Airfare Billing Form (available from University Printing Services)

**Board Committee Assignment:** Finance and Audit

## Tuition Rebate (C-50)

**Original Implementation:** January 30, 2001

**Last Revision:** ~~April 19, 2011~~ October 18, 2011

Section 54.0065 of the Texas Education Code authorizes a tuition rebate of up to \$1,000 for certain undergraduates. The purpose of this program is to provide a financial incentive for students to complete their baccalaureate studies with as few courses outside the degree plan as possible. Minimizing the number of courses taken by students results in financial savings to students, parents, and the state.

To be eligible for a rebate under this program, a student must:

1. have enrolled for the first time in an institution of higher education in the fall 1997 semester or later;
2. request a rebate for coursework related to a first baccalaureate degree received from a general academic teaching institution;
3. have been a resident of Texas as set forth under rules established by the Texas Higher Education Coordinating Board and have been entitled to pay resident tuition at all times while pursuing the degree;
4. if enrolled for the first time in fall 2005 or later, graduate within four calendar years for a four-year degree program or within five calendar years for any program determined by the Texas Higher Education Coordinating Board to require more than four years to complete\*; and
5. have attempted no more than three hours in excess of the **minimum** number of semester credit hours required to complete the degree under the catalog under which the student graduated.

*In addition to hours completed at SFA, ~~H~~hours attempted include:*

- -transfer credits
- ~~5~~-course credit earned exclusively by examination (except *the first hat*, for the purposes of this program, only the number of semester credit hours earned exclusively by examination in excess of nine semester credit hours are excluded-is treated as hours attempted);
- -courses dropped after the official census date
- ~~5~~-for-credit developmental courses
- ~~5~~-optional internship and cooperative education courses

- ~~and~~ repeated courses

*Hours attempted exclude:*

- ~~course credit that is earned to satisfy requirements for a Reserve Officers' Training Corps (ROTC) program but that is not required to complete the degree program~~
- *course credit, other than course credit earned exclusively by examination, that is earned before graduating from high school (i.e., dual credit hours earned in high school) (effective June 17, 2011)*
- ~~Courses dropped for reasons that are determined by the institution to be totally beyond the control of the student shall not be counted. For students concurrently earning a baccalaureate degree and a Texas teaching certificate, required teacher education courses shall not be counted to the extent that they are over and above the free electives allowed in the baccalaureate degree program (for students concurrently earning a baccalaureate degree and a Texas teaching certificate)~~
- *courses dropped for reasons that are determined by the institution to be totally beyond the control of the student*

\* If enrolled for the first time in fall 2005 or later, a student may be eligible for a tuition rebate if the otherwise eligible student is awarded a baccalaureate degree but does not satisfy the time requirement solely as a result of a hardship or other good cause. Such student must follow the appeal procedures below to be considered for the rebate.

4.

The amount of the tuition rebate is the lesser of \$1,000 or the actual amount of undergraduate tuition paid by the student to Texas public institutions of higher education. The rebate shall first be applied to any loans or other amounts owed the university. Then, if the student has an outstanding student loan owed to or guaranteed by the state of Texas, the university shall apply the rebate to the student loan, and then pay the student any excess amount. If a student has more than one outstanding student loan owed to or guaranteed by the state of Texas, the university shall apply the amount of the rebate to the loans as directed by the student. If the student fails to provide timely instructions on the application of the amount, the university shall apply the amount of the rebate to retire the loans with the highest interest rates first.

Students wishing to apply for tuition rebates must do so at the time they apply for



baccalaureate degrees by completing the information on the back of the Graduation Application Form pertaining to the tuition rebate. Applications are available in the registrar's office.

The registrar's office will evaluate all applications and make a determination of rebate eligibility, based on number of hours attempted as posted on the student's academic record. The registrar's office will provide the controller's office with the names, addresses and social security numbers of all applicants eligible for tuition rebates. Within 60 days after graduation, the controller's office will remit rebates to eligible students and the registrar's office will mail denial notices to ineligible students. Each notice will include the reason for denial. A student may appeal a denial decision to the Fiscal Appeals ~~Committee~~ *Panel in accordance with Student Fiscal Appeals (C-57)*. Information on the appeal process is available in the registrar's office. All appeals must be filed within ~~30~~-60 days of the university's written notification of denial.

**Cross Reference:** Tex Educ. Code § 54.0065; 19 Tex. Admin. Code §§ 13.80-.87; *Student Fiscal Appeals (C-57)*

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

**Contact For Revision:** Controller, Registrar

**Forms:** Graduation Application Form (available in the Registrar's Office)

**Board Committee Assignment:** Academic and Student Affairs