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**BOARD OF REGENTS MEETING 317**

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Sunday, July 22, 2018

The regular meeting of the Board of Regents was called to order in open session at 2:03 p.m. on Sunday, July 22, 2018, by Chair Brigettee Henderson.

PRESENT:

Board Members: Mrs. Brigettee Henderson, Chair
                 Mr. David Alders
                 Mrs. Nelda Blair
                 Dr. Scott Coleman
                 Mr. Alton Frailey
                 Mrs. Karen Gantt
                 Mr. Bob Garrett
                 Mr. Tom Mason
                 Mr. Ken Schaefer
                 Ms. Kate Childress, student member

President: Dr. Baker Pattillo

Vice-Presidents: Dr. Steve Bullard
                 Dr. Danny Gallant
                 Ms. Jill Still
                 Dr. Steve Westbrook

General Counsel: Mr. Damon Derrick

Other SFA administrators, staff, and visitors

The chair welcomed new student member Kate Childress to the meeting and called immediately for an executive session to consider the following items:

Deliberations Regarding the Deployment, or Specific Occasions for Implementation, of Security Personnel or Devices (Texas Government Code, Section 551.076)
  • Security Audits
  • Update from Chief Information Officer

Deliberations Regarding the Purchase, Exchange, Lease, Sale or Value of Real Property (Texas Government Code, Section 551.072)
Deliberations Regarding Negotiated Contracts for Prospective Gifts or Donations (Texas Government Code, Section 551.073)

Consultation with Attorney Regarding Legal Advice or Pending and/or Contemplated Litigation or Settlement Offers, including but not limited to reported complaints, *Geralyn Franklin v. SFASU, Courtnay Christensen v. SFASU, et al.*, and *Pamela Clasquin v. SFASU* (Texas Government Code, Section 551.071)

Consideration of Individual Personnel Matters Relating to Appointment, Employment, Evaluation, Assignment, Duties, Discipline, or Dismissal of an Officer or Employee, including but not limited to the chief of police, the assistant chief of police, the executive director of enrollment management, the associate provost, the director of intercollegiate athletics, the head football coach, the vice presidents, the general counsel, the chief audit executive, the coordinator of board affairs, and the president (Texas Government Code, Section 551.074)

The executive session ended at 8:16 p.m. The Board of Regents meeting returned to open session and recessed for the evening with no further action.
Monday, July 23, 2018

The regular meeting of the Board of Regents was called to order in open session at 8:03 a.m. on Monday, July 23, 2018, by Chair Brigettee Henderson.

PRESENT:

Board Members: Mrs. Brigettee Henderson, Chair  
Mr. David Alders  
Mrs. Nelda Blair  
Dr. Scott Coleman  
Mrs. Karen Gantt  
Mr. Bob Garrett  
Mr. Tom Mason  
Mr. Ken Schaefer  
Ms. Kate Childress, student member

President: Dr. Baker Pattillo

Vice-Presidents: Dr. Steve Bullard  
Dr. Danny Gallant  
Ms. Jill Still  
Dr. Steve Westbrook

General Counsel: Mr. Damon Derrick

Other SFA administrators, staff, and visitors

Regent Alton Frailey was unable to attend. Student Member Kate Childress was welcomed to her first board meeting.

*The board immediately recessed for committee meetings. The Building and Grounds Committee convened at 8:03 a.m. and adjourned at 10:24 a.m. The Finance and Audit Committee convened at 10:47 a.m. and recessed at 4:12 p.m. The Academic and Student Affairs Committee convened at 4:15 p.m. and recessed at 5:03 p.m.*

The committee of the whole was called into open session at 5:03 p.m.

Regent Karen Gantt gave a report from the Champions Event Committee and Regent David Alders gave a report from the Joint SFA/Nacogdoches Economic Development/Cooperation Committee.

The chair called for an executive session at 5:14 p.m. to consider the following items:

Deliberations Regarding the Deployment, or Specific Occasions for Implementation, of Security Personnel or Devices (Texas Government Code, Section 551.076)
• Security Audits
• Update from Chief Information Officer

Deliberations Regarding the Purchase, Exchange, Lease, Sale or Value of Real Property (Texas Government Code, Section 551.072)

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

Consultation with Attorney Regarding Legal Advice or Pending and/or Contemplated Litigation or Settlement Offers, including but not limited to reported complaints, *Geralyn Franklin v. SFASU, Courtnay Christensen v. SFASU, et al., and Pamela Clasquin v. SFASU* (Texas Government Code, Section 551.071)

Consideration of Individual Personnel Matters Relating to Appointment, Employment, Evaluation, Assignment, Duties, Discipline, or Dismissal of an Officer or Employee, including but not limited to the chief of police, the assistant chief of police, the executive director of enrollment management, the associate provost, the director of intercollegiate athletics, the head football coach, the vice presidents, the general counsel, the chief audit executive, the coordinator of board affairs, and the president (Texas Government Code, Section 551.074)

The executive session ended at 7:52 p.m. The Board of Regents meeting returned to open session and recessed for the evening with no further action.
**Tuesday, July 24, 2018**

The regular meeting of the Board of Regents was called to order in open session at 9:00 a.m. Tuesday, July 24, 2018, in the Austin Building Board Room by Chair Brigettee Henderson.

**PRESENT:**

Board Members: Mrs. Brigettee Henderson, Chair  
Mr. David Alders  
Mrs. Nelda Blair  
Dr. Scott Coleman  
Mr. Alton Frailey  
Mrs. Karen Gantt  
Mr. Bob Garrett  
Mr. Tom Mason  
Mr. Ken Schaefer  
Ms. Maggie Wright, student member

President: Dr. Baker Pattillo

Vice-Presidents: Dr. Steve Bullard  
Dr. Danny Gallant  
Ms. Jill Still  
Dr. Steve Westbrook

General Counsel: Mr. Damon Derrick

Other SFA administrators, staff, and visitors

Dr. Pattillo introduced and welcome new student member Kate Childress. Second Lieutenant Kirstain Stokes Brady led the pledge to the flags, and Regent Blair provided the invocation.

**RECOGNITIONS**

Dr. Marc Guidry was introduced as the newly appointed associate provost and Erma Brecht as the executive director of enrollment management. Treba Marsh was recognized as professor emeritus upon her retirement. Ken Morton was recognized for his election as president of the National Intramural and Recreational Sports Association (NIRSA). Ryan Ivey was introduced as the Intercollegiate Athletic Director.
APPROVAL OF MINUTES

BOARD ORDER 18-28
Upon motion by Regent Garrett, seconded by Regent Mason, with all members voting aye, it was ordered that the minutes of the April 22, 23, and 24, 2018, regular meeting of the Board of Regents be approved as presented.

ADMINISTRATION

BOARD ORDER 18-29
Upon motion by Regent Coleman, seconded by Regent Frailey, with all members voting aye, it was ordered that the following personnel items be approved.

ELECTION OF PRESIDENT FOR 2018-19

A performance evaluation was conducted, and Baker Pattillo was reelected president of Stephen F. Austin State University for 2018-19, at an annual salary of $355,000, effective September 1, 2018.

ELECTION OF GENERAL COUNSEL FOR 2018-19

A performance evaluation was conducted, and Damon Derrick was reelected general counsel for 2018-19, at an annual salary of $180,000, effective September 1, 2018.

ELECTION OF CHIEF AUDIT EXECUTIVE FOR 2018-19

A performance evaluation was conducted, and Gina Oglesbee was reelected chief audit executive for 2018-19, at an annual salary of $145,600, effective September 1, 2018.

ELECTION OF COORDINATOR OF BOARD AFFAIRS FOR 2018-19

A performance evaluation was conducted, and Judy Buckingham was reelected coordinator of board affairs for 2018-19, at an annual salary of $50,000, effective September 1, 2018.

PERSONNEL

BOARD ORDER 18-30
Upon motion by Regent Mason, seconded by Regent Alders, with all members voting aye, it was ordered that the following personnel items be approved.

FACULTY APPOINTMENTS

COLLEGE OF EDUCATION

Sarah Straub, Ed.D. (University of Houston), Assistant Professor of Elementary Education, at an academic year salary of $57,000 for 100 percent time, effective September 1, 2018.
COLLEGE OF LIBERAL AND APPLIED ARTS

James Schaeffer, M.A. (New Mexico State University) Assistant Professor of Psychology at an academic year salary of $52,505 for 100 percent time, effective September 1, 2018, contingent upon completion of doctorate by August 31, 2018.

COLLEGE OF SCIENCES AND MATHEMATICS

Julie Bloxson, Ph.D. (Case Western Reserve University), Assistant Professor of Geology, at an academic year salary of $67,500 for 100 percent time, effective September 1, 2018.

STAFF APPOINTMENTS

ATHLETICS

Christopher Elliott, Student Athletic Success Trainer, at an annual salary of $45,000 for 100 percent time, effective June 4, 2018.

Ryan Ivey, Director of Intercollegiate Athletics. The president was authorized to negotiate and execute the Athletics Director Employment Agreement, upon review for legal form and sufficiency by the Office of the General Counsel.

ENROLLMENT MANAGEMENT

Erma Brecht, Executive Director of Enrollment Management, at an annual salary of $145,000 for 100 percent time, effective June 25, 2018.

PROCUREMENT AND PROPERTY SERVICES

Katherine Ivanic, Contracting Specialist, at an annual salary of $38,400 for 100 percent time, effective May 15, 2018.

RESIDENCE LIFE

Madison Dealing, Hall Director, at an annual salary of $30,000 for 100 percent time, effective May 14, 2018.

CHANGES OF STATUS

ACADEMIC AFFAIRS

Marc Guidry, from Associate Dean of Liberal and Applied Arts at an annual salary of $108,375 for 100 percent time to Associate Provost at an annual salary of $145,000 for 100 percent time, effective June 3, 2018.
ATHLETICS

Jeffrey Byrd, from Assistant Head Football Coach at an annual salary of $95,000 for 100 percent time, to Interim Head Football Coach at an annual salary of $95,000 for 100 percent time, with an additional stipend of $8,000 per month for up to four months for interim duties, effective June 19, 2018.

Matthew Fenley, from Senior Associate Director of Athletic (Compliance) at an annual salary of $88,579 for 100 percent time, to Interim Director of Athletics at an annual salary of $88,579 for 100 percent time, with an additional stipend of $1,500 for one month for interim duties, effective June 1, 2018.

Christa Robinson, from Graduate Assistant at an academic year salary of $9,000 for 50 percent time, to Athletic Strength and Conditioning Assistant at an annual salary of $34,144 for 100 percent time, effective May 14, 2018.

Daniel Wenger, from Athletic Strength and Conditioning Assistant at an annual salary of $34,144 for 100 percent time, to Athletic Strength and Conditioning Assistant at an annual salary of $38,179 for 100 percent time, effective May 1, 2018.

CAMPUS RECREATION

Brittany Morriss, from Graduate Assistant at an academic year salary of $9,900 for 50 percent time, to Coordinator of Campus Recreation (Aquatics Safety) at an annual salary of $33,000 for 100 percent time, effective May 1, 2018.

COLLEGE OF EDUCATION

Joanna Jones, from Master Teacher, Early Childhood Lab, at an annual salary of $55,884 for 100 percent time, to Teacher, Early Childhood Lab, at an annual salary of $40,000 effective August 1, 2018.

Morgan Russell, from Substitute Teacher, Charter School, at a 9.5-month salary of $26.00 per hour for 100 percent time, to Teacher, Charter School, at a 10-month salary of $39,300 for 100 percent time, effective September 1, 2018.

Ginny Watkins, from Teacher, Early Childhood Lab, at an annual salary of $44,558 for 100 percent time, to Master Teacher, Early Childhood Lab, at an annual salary of $49,333 for 100 percent time, effective August 1, 2018.

COLLEGE OF LIBERAL AND APPLIED ARTS

Leslie Cecil, from Associate Professor and Chair of Anthropology, Geography and Sociology at an 11-month salary of $96,240 for 100 percent time, to Associate Professor at an academic year salary of $72,000 for 100 percent time, effective September 1, 2018.
Dana Cooper, from Professor of History and Director of Student Success Center at an academic year salary of $101,663 for 100 percent time, to Professor of History at an academic year salary of $63,370 for 75 percent time and SFA 101 Coordinator at an academic year salary of $14,655 for 25 percent time, effective June 1, 2018.

Troy Davis, from Professor of History and Interim Chair of Secondary Education at an academic year salary of $82,215 for 100 percent time, with an additional stipend of $1,000 per month for 12 months for interim duties, to Professor and Chair of History at an annual salary of $119,750 for 100 percent time, effective September 1, 2018.

Joyce Johnston, from Professor of Multidisciplinary Studies at an 11-month salary of $87,000 for 100 percent time, to Associate Dean at an 11-month salary of $107,000 for 100 percent time, effective September 1, 2018.

COLLEGE OF SCIENCES AND MATHEMATICS

Sara Bishop, from Associate Professor and Director of Nursing at an annual salary of $117,300 for 100 percent time, to Associate Professor of Nursing at an academic year salary of $83,223 for 100 percent time, effective September 1, 2018.

William Bruton, from Professor of Physics, Engineering and Astronomy and Associate Dean at an annual salary of $106,861 for 100 percent time, to Professor and Director of Engineering at an 11-month salary of $110,000 for 100 percent time, effective September 1, 2018.

Ray Darville, from Professor of Anthropology, Geography and Sociology at an academic year salary of $92,924 for 100 percent time, to Professor and Chair of Anthropology, Geography and Sociology at an annual salary of $119,000 for 100 percent time, effective September 1, 2018.

Deborah Dunn, from Professor and Interim Chair of Computer Science at an academic year salary of $112,189 for 100 percent time with an additional stipend of $1,106 per month for 11 months, to Professor and Chair of Computer Science at an annual salary of $137,000 for 100 percent time, effective September 1, 2018.

Tamara Harris, from Assistant Professor of Nursing at an academic year salary of $80,223 for 100 percent time, to Associate Professor and Director of Nursing at an annual salary of $117,300 for 100 percent time, effective September 1, 2018.

Allison Younger, from Clinical Instructor of Nursing at an academic year salary of $45,000 for 100 percent time, to Clinical Instructor of Nursing with a change in job assignment at an academic year salary of $54,000 for 100 percent time, effective September 1, 2018.

CONTROLLER

Jennie Blough, from Manager of Accounts Payable at an annual salary of $55,917 for 100 percent time, to Assistant Director of Accounting Operations at an annual salary of $70,900 for 100 percent time, effective April 2, 2018.
Brittney Goad, from Procurement Card Coordinator at an annual salary of $36,720 for 100 percent time, to Manager of Accounts Payable at an annual salary of $58,000 for 100 percent time, effective May 14, 2018.

Tambra Thompson, from Accountant II at an annual salary of $46,421 for 100 percent time, to Accounting III at an annual salary of $62,000 for 100 percent time, effective May 1, 2018.

DEVELOPMENT

Crystal Bays, from Development Assistant at an annual salary of $39,002 for 100 percent time, to Campaign Coordinator at an annual salary of $50,000 for 100 percent time, effective April 1, 2018.

HEALTH SERVICES

Janice Ledet, from Physician at an academic year salary of $95,697 for 100 percent time, to Interim Director at an academic year salary of $95,697 for 100 percent time, with an additional stipend of $1,325 per month for nine months, effective September 1, 2017.

INFORMATION TECHNOLOGY SERVICES

Meredith Baily, from Project Coordinator at an annual salary of $48,505 for 100 percent time, to Manager of Project Management Office at an annual salary of $70,000 for 100 percent time, effective April 1, 2018.

Michael Coffee, from Assistant Director of Telecommunications and Networking at an annual salary of $88,764 for 100 percent time, to Deputy Chief Information Officer at an annual salary of $115,000 for 100 percent time, effective April 1, 2018.

Joseph Jacobs, from Network Support Specialist I at an annual salary of $45,000 for 100 percent time, to Network Support Specialist I with a reclassification to an exempt position at an annual salary of $45,000 for 100 percent time, effective September 1, 2018.

John Parker, from Director of Information Technology Services at an annual salary of $96,744 for 100 percent time, to Director of Enterprise Architecture at an annual salary of $96,744 for 100 percent time, effective April 1, 2018.

Brandon Springfield, from Security Specialist at an annual salary of $56,732 for 100 percent time, to Information Security Specialist II, at an annual salary of $69,000 for 100 percent time, effective April 1, 2018.

Jason Wiggins, from Manager of Network Services at an annual salary of $75,588 for 100 percent time to Assistant Director of Enterprise Infrastructure at an annual salary of $75,588 for 100 percent time, effective April 1, 2018.
Janie Richardson, from Librarian I at an annual salary of $43,653 for 100 percent time to Librarian II with a reclassification to an exempt position at an annual salary of $43,653 for 100 percent time, effective September 1, 2018.

PHYSICAL PLANT

Jessica Dewitt, from Project Coordinator at an annual salary of $46,330 for 100 percent time to Manager of Projects at an annual salary of $62,000 for 100 percent time, effective April 1, 2018.

Alison Ford, from Supervisor of Physical Plant Administration at an annual salary of $51,464 for 100 percent time, to Manager of Business at an annual salary of $62,000 for 100 percent time, effective April 1, 2018.

Hillary Parrish, from Records Administrator at an annual salary of $37,485 for 100 percent time, to Manager of Staff Services at an annual salary of $55,400 for 100 percent time, effective April 1, 2018.

Johnathan Sanchez, from Plant Operations Specialist at an annual salary of $36,432 for 100 percent time, to Plant Operations Analyst at an annual salary of $50,000 for 100 percent time, effective April 1, 2018.

Allen Singleton, from Assistant Manager of Building Trades and Mechanical Maintenance at an annual salary of $67,056 for 100 percent time, to Manager of Building Trades and Mechanical Maintenance at an annual salary of $73,815 for 100 percent time, effective April 1, 2018.

RESIDENCE LIFE

Reba Carroll, from Hall Director at an annual salary of $30,330 for 100 percent time, to Area Coordinator at an annual salary of $35,000 for 100 percent time, effective June 1, 2018.

Carla Chumley, from Supervisor of Residence Life Administration at an annual salary of $51,000 for 100 percent time to Supervisor of Staff Services at an annual salary of $51,000 for 100 percent time, effective May 1, 2018.

STUDENT AFFAIRS PROGRAMS

Canaan Daniels, from Coordinator of Student Engagement at an annual salary of $35,000 for 100 percent time to Coordinator of Student Engagement (Student Activities) at an annual salary of $37,000 for 100 percent time, effective May 1, 2018.

Lacey Folsom, from Associate Director of Student Engagement at an annual salary of $51,400 for 100 percent time to Director of Student Engagement at an annual salary of $61,400 for 100 percent time, effective April 1, 2018.
Sylvester Harris, from Coordinator of Student Engagement at an annual salary of $42,500 for 100 percent time to Assistant Director of Student Engagement at an annual salary of $47,250 for 100 percent time, effective June 1, 2018.

Emily Jefferson, from Assistant Director of Student Affairs at an annual salary of $38,500 for 100 percent time to Coordinator of Disability Support Services at an annual salary of $46,358 for 100 percent time, effective June 30, 2018.

Molly Moody, from Assistant Director of Student Engagement at an annual salary of $45,148 for 100 percent time to Assistant Director of Student Engagement with a change in job responsibilities at an annual salary of $47,250 for 100 percent time, effective May 1, 2018.

PROMOTIONS

The following promotion was approved:

To Professor Emeritus, effective fall 2018:
Treba Marsh, Accounting

RETIREMENTS

The following retirements were accepted:

Fred Allen, Professor of Music and Director of Bands, effective May 31, 2018, with 24 years of service.

Janice Hensarling, Associate Professor of Nursing, effective August 31, 2018, with 16 years of service.

Robert Hill, Director of Athletics, effective July 13, 2018, with 30 years of service.

Anne Uhyrek, Accountant III, effective May 4, 2018, with 12 years of service.

ACADEMIC AND STUDENT AFFAIRS

BOARD ORDER 18-31
Upon motion by Regent Alders, seconded by Regent Blair, with all members voting aye, it was ordered that the following academic and student affairs item be approved.

HOLIDAY SCHEDULE FOR 2018-2019

The Board of Regents approved the holiday schedule for 2018-2019 as presented, requiring employees to take six days of paid leave on November 19 and 20, December 28 and 29; and March 21 and 22.
November 19 – 23  
Thanksgiving Break 
December 24 – January 1  
Christmas Break 
March 18 – 22  
Spring Break 
May 27  
Memorial Day 
July 4  
Independence Day 

INTERCOLLEGIATE ATHLETIC POLICIES AND PROCEDURES MANUAL REVISIONS 

The Board of Regents approved the revisions to the Athletic Policies and Procedures manual as presented in Appendix 1. 

CURRICULUM CHANGES FOR FALL 2018 

WHEREAS, the board members considered the following: Changes in curriculum originate in the departments based on changing demands of the discipline and student need. Curriculum changes are reviewed by the colleges, the university curriculum committees or graduate council, the appropriate dean and the provost and vice president for academic affairs. After approval by the Board of Regents, curriculum changes are submitted to the Texas Higher Education Coordinating Board and the Southern Association of Colleges and Schools Commission on Colleges as appropriate. 

In accordance with policy, the following programs are proposed for board approval: 

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<td>ICC 105</td>
<td>International and Intercultural Communication-China</td>
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<tr>
<td>ECO 450</td>
<td>Forecasting in Economics and Business</td>
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<tr>
<td>ENG 576</td>
<td>Publication in Management and Production</td>
</tr>
<tr>
<td>IDS 571</td>
<td>Publishing Capstone</td>
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<tr>
<td>SPE 554</td>
<td>Practicum in Professional and Ethical Practice</td>
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THEREFORE, the Board of Regents approved the undergraduate and graduate curriculum changes listed to be effective for fall 2018. 

AGREEMENT BETWEEN STEPHEN F. AUSTIN STATE UNIVERSITY NELSON RUSCHE COLLEGE OF BUSINESS AND CHADWICK FAMILY BANKING PROGRAM ADVISORY COUNCIL 

WHEREAS, the board members considered the following: The Stephen F. Austin State University Nelson Rusche College of Business requests approval to finalize the agreement between Stephen F. Austin State University, the Nelson Rusche College of Business, and the Chadwick Family Banking Program Advisory Council that would establish the Advisory Board as a support group of the university. The agreement is included as Appendix 2. 

The purpose of this group is to support the programs and activities of the Chadwick Family Banking Program, including the following activities: 

a. Strengthen educational opportunities for students interested in pursuing a career in the banking and financial services industry;
b. Identify and open pathways for college students into the banking and financial services industry through internships, career entry employment opportunities, and mentoring activities;

c. Build mutually beneficial relationships between the banking industry and university;

d. Support and execute revenue generating activities for the benefit of the Program;

e. Perform those functions that the program cannot provide itself.

THEREFORE, the board approved the Chadwick Family Banking Program Advisory Board as a support group of the university and the president was authorized to sign the agreement included as Appendix 2.

ACADEMIC AND STUDENT AFFAIRS POLICY REVISIONS

The Board of Regents adopted the following policy revisions as presented in Appendix 8:

Access to University Records 2.1
Dead Week 7.8
Discipline and Discharge 11.4
Export Control 2.15 NEW
Information Security Incident Response and Reporting 14.14. NEW
Nepotism 11.16
Radioactive or Radiation-Producing Materials or Equipment 13.17
Salary Supplements, Stipends and Additional Compensation 12.16
Service Awards 12.17
Sexual Misconduct 2.13
Social Media 15.11
Staff Development 11.27 (TO BE DELETED)
Student Code of Conduct 10.4
Student Employment 10.6
Wireless Networking 14.11

BUILDING AND GROUNDS

BOARD ORDER 18-32
Upon motion by Regent Garrett, seconded by Regent Blair, with all members voting aye, it was ordered that the following building and grounds affairs item be approved.

APPROVAL OF THE FISCAL YEAR 2018-19 CAPITAL PLAN

WHEREAS, the board members considered the following: Using the campus master plan, strategic plan, and a comprehensive space assessment as guides, the 2018-19 capital plan addresses campus infrastructure, ITS equipment, system and security initiatives, and planned maintenance renovation projects. The various components of the plan target academic support, student life, safety, and capital renewal.
THEREFORE, the $10,008,066 fiscal year 2018-19 capital plan presented in Appendix 3 was approved. Approval was given to the project funding as listed, the source of funds as presented, and authorization of the president to sign associated purchase orders or contracts as requested.

ELECTRICAL INFRASTRUCTURE REPAIR

WHEREAS, the board members considered the following: In August 2017 an underground electric transmission line failed that was located between the Music building and Vista Drive. The cost to replace the line was $47,266.27. In September 2017 additional failed electrical infrastructure components resulted in campus electrical outages. The failures included one of three main circuit breakers in the electrical substation, 300 feet of an underground main transmission line, a transformer located in the Griffith/Kerr utility plant, and miscellaneous small equipment. It has been determined that this outage was related to the failed underground transmission line event that occurred in August 2017. Although the $47,266 August 2017 repair costs were not included in the subsequent September 2017 electrical repair projections, they have been included in the overall project for insurance reimbursement purposes.

To date, a substantial amount of the electrical infrastructure repair has been completed, including cabling and transformer replacements, installation of a new electric duct bank and installation of a new breaker. However, the new breaker has not been programmed and is not currently functional. Consequently, the campus is still running three circuits on just two main breakers in the electrical substation.

At the October 2017 board meeting, the Board of Regents approved an electrical infrastructure repair project that totaled $275,000. With the inclusion of the initial August 2017 repair, total project amounts paid to date total $263,674.24. Additional project needs include programming the breaker, recalibrating the system, supervisory payments to Oncor Electric, and equipment rental and labor costs.

In addition to the initial electrical failures, a 500 foot underground main transmission line feeding the Recreation Center Pump House failed. This particular failure was determined to have been independent of the other electrical issues. At the time it failed, it contained no circuit load. The cost to repair this transmission line is estimated at $60,000.00 and will not be included in the insurance reimbursement claim.

It is estimated that the costs related to the insurance claim portion of this project will total less than $365,000. The actual insurance reimbursement will be reduced by our $100,000 insurance deductible amount.

THEREFORE, the comprehensive electrical infrastructure project was approved that includes additional transmission line repair for a total project cost, including a contingency, not to exceed $475,000, using auxiliary and designated funds. The president was authorized to sign associated purchase orders and contracts that total $100,000 or more.
PINEY WOODS NATIVE PLANT CENTER GREENHOUSE BUDGET INCREASE

WHEREAS, the board members considered the following: At the January 31, 2017, meeting the Board of Regents approved the construction of a greenhouse in the Piney Woods Native Plant Center area of campus. The proposed greenhouse project was funded by donations. The item submitted to and approved by the regents was to construct a greenhouse near the existing horticulture facility. The project budget was approved for $182,960, and the scope included site preparation, a greenhouse kit, controllers, greenhouse and propagation accessories, security fencing and all necessary utilities.

Based on site selection, preparation and design preferences, additional funds are needed to complete the project. A secondary site has been selected that will minimize additional site preparation. In addition, other design modifications have been made.

THEREFORE, a project budget increase was approved from $182,960 to $202,960 to construct a greenhouse in the Piney Woods Native Plant Center area of campus. The sources of funds for the project are private donations, Moody Foundation grant and SFA Gardens discretionary accounts. The amount from the SFA Gardens discretionary accounts is not to exceed $20,000.

ARCHITECTURAL ASSESSMENT FOR HOUSE AT 1401 N. MOUND STREET

WHEREAS, the board members considered the following: On July 25, 2017, the regents approved the purchase of a house located at 1401 N. Mound Street from Senator Kay Bailey Hutchison. A historical residence, the house is located adjacent to university property. The architectural firm Facilities Programming and Consulting (FP&C) has assessed the space and made recommendations for its use. The university would like to engage a comprehensive architectural design plan for the house and property.

THEREFORE, the project was approved using the higher education fund (HEF) at a cost not to exceed $150,000. The president was authorized to sign associated contracts and purchase orders that total $100,000 or more.

APPROVAL OF BUILDING AND GROUNDS POLICY REVISIONS

The Board of Regents adopted the following policy revisions as presented in Appendix 8:

Energy Conservation 16.10
Fleet Management 16.11
Lease, Rental or Use of Off-Campus Facilities 16.15
Rental of University Vehicles 16.23

FINANCIAL AFFAIRS

BOARD ORDER 18-33
Upon motion by Regent Frailey, seconded by Regent Coleman, with all members voting aye, it was ordered that the following financial affairs items be approved.
ACKNOWLEDGE RECEIPT OF AUDIT SERVICES REPORT

The Board of Regents acknowledged receipt of the audit services report as presented included the following:

- Central Stores Departmental Audit
- Transportation Departmental Audit
- History Departmental Audit
- English and Creative Writing Departmental Audit
- Contract Management and Purchasing Audit
- Follow-up Audit
- SFA University Police Department Information Technology Management and Security Audit
- SFA Active Directory Audit
- Update on Audit Plan

APPROVAL OF ANNUAL AUDIT PLAN

The annual audit plan was approved as presented.

BOARD ORDER 18-34
Upon motion by Regent Frailey, seconded by Regent Garrett, with all members voting aye, it was ordered that the following financial affairs item be approved.

CHANGES IN COURSE FEES

Changes in course fees listed in Appendix 4 were approved, to take effect immediately.

BOARD ORDER 18-35
Upon motion by Regent Frailey, seconded by Regent Alders, with all members voting aye, it was ordered that the following financial affairs items be approved.

ADOPTION OF THE FISCAL YEAR 2018-19 CAPITAL PLAN BUDGET

WHEREAS, the board members considered the following: Using the campus master plan, strategic plan, and a comprehensive space assessment as guides, the 2018-19 capital plan addresses campus infrastructure, ITS equipment, system and security initiatives, and planned maintenance renovation projects. The various components of the plan target academic support, student life, safety, and capital renewal.

THEREFORE, it was ordered that the $10,008,066 fiscal year 2018-19 capital budget presented in Appendix 5 be adopted. Project funding was approved as listed, the source of funds were approved as presented, and the president was authorized to sign associated purchase orders or contracts as requested.
ADOPTION OF THE FISCAL YEAR 2018-19 INSTITUTIONAL OPERATING BUDGET

WHEREAS, the board members considered the following: In accordance with Article III of the State of Texas General Appropriations Act for the 2018-19 biennium, the recommended institutional budget totaling $265,817,512 for fiscal year 2018-19 is submitted for approval. The proposed budget contains a four percent pool for merit salary adjustments and targeted strategic initiatives. A detailed Higher Education Fund (HEF) allocation is included in Appendix 6.

THEREFORE, the 2018-19 annual operating budget was approved that totals $265,817,512 with the HEF allocation in Appendix 6.

BOARD ORDER 18-36
Upon motion by Regent Frailey, seconded by Regent Alders, with all members voting aye, it was ordered that the following financial affairs items be approved.

DEBT COLLECTION SERVICES

WHEREAS, the board members considered the following: The university wishes to enter into an agreement with Williams & Fudge, Inc., Continental Service Group, Inc. dba ConServe, and Windham Professionals, Inc. for student loans and accounts receivable debt collection services. These three vendors were awarded through the Texas A & M University’s request for proposal process for collection account services for a contract term of five (5) years.

THEREFORE, it was ordered that the university enter into an agreement with Williams & Fudge, Inc., Continental Service Group, Inc. dba ConServe and Windham Professionals, Inc. for debt collections services through July 31, 2023. The president was authorized to sign purchase orders and any associated contract documents.

GRANT AWARDS

WHEREAS, the board members considered the following: To date, the university has received multi-year grant awards during fiscal year 2018 totaling $17,543,213, an increase of $891,851 since the last report. Of this total, grant awards allocable to fiscal year 2018 are currently $5,889,796, an increase of $1,142,402 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 additional fiscal year 2018 grant awards that total $1,142,402 were approved and ratified. The grant awards are detailed in Appendix 7.

ACCENT VENDING SERVICES CONTRACT

WHEREAS, the board members considered the following: Vending services on the SFA campus are out-sourced to Accent Vending. The current five-year contract between Accent and the university
expires on August 31, 2018. This contract includes a provision that permits the agreement to be extended as mutually agreed upon by the parties for an additional 5-year period.

Accent Vending has requested our agreement be extended for an additional five years at the same terms with the exception of a 4.7% increase in the annual guaranteed commission.

Our staff has provided a positive evaluation of the service Accent has provided over the term of the existing contract and also request that the term be extended.

THEREFORE, the board authorized the president to sign an addendum to the existing vending services contract with Accent Food Services for a five-year term extension commencing September 1, 2018 that includes the new higher annual commission guarantee.

APPROVAL OF FINANCIAL AFFAIRS POLICY REVISIONS

The following policy revisions were adopted as presented in Appendix 8:

Auditing a Course - Tuition and Fees 3.3
Central Stores 17.3
Computer Purchase and Replacement 17.4
Delegated Purchasing Authority 17.5
External Bank Accounts 3.14
Institutional Reserve Fund 3.19
Memberships 17.10
Payment Card Acceptance and Security 14.8
Physical Plant Charges 16.20
Post Bond Issuance Federal Tax Compliance 3.5
Procurement Training 17.25
Purchases from Officers and Employees 17.21
Purchasing Ethics and Confidentiality 17.22
Travel 3.29

REPORTS

The president provided a report to the regents on the following topics:

- Upcoming Dates
- 95th Anniversary
- National Association of Collegiate Directors of Athletics
- Commissioner Paredes Visit
- Summer Commencement

Scarleth Lopez, SGA speaker of the senate, gave a report on the following topics:

- Introductions
- Partnership with Information Technology
- Continuing Initiatives from 2017-18
- New Initiatives for 2018-19
- Watermelon Bash

The meeting was adjourned by Chair Henderson at 10:19 a.m.
Revisions to Athletic Policy and Procedure Manual

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<th>POLICY NAME</th>
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ATHLETIC TICKET OFFICE: OPERATIONS

Ticket sales and operations are a function of the SFA Athletic Ticket Office which is located in Room 207 of the William R. Johnson Coliseum. The Athletic Ticket Office manages ticket pricing, ticket sales, seating priorities, seating distribution and allocation, and complimentary admissions for intercollegiate athletics events. These tickets are a negotiable commodity and a source of revenue for the Department. The mishandling or misappropriation of tickets can result in revenue losses or NCAA sanctions. For this reason, the policies and procedures prescribed for the printing, handling, sale and distribution of tickets are to be strictly followed.

Athletic Ticket Office operating objectives are as follows:

1. To properly handle and account for the distribution of tickets, priority parking and admissions to all athletic events;
2. To properly deposit and record income obtained from ticket sales; and
3. To maintain a proper public relations posture with customers in order to promote continued support for the intercollegiate athletics program.

Policies related to ticket sales for athletic events are coordinated with the Director of Athletics, the Senior Associate Athletic Director for External Affairs and the Senior Associate Athletic Director for Compliance, as appropriate. All University staff members involved in the sale and distribution of tickets to athletic events are responsible for maintaining a current knowledge of University, Southland Conference and NCAA rules and regulations governing ticket operations. Questions regarding the intent or interpretation of specific policies are to be directed to the Athletic Ticket Office Manager and/or the Senior Associate Athletic Director for External Affairs.

(For additional Ticket Office policies, see Policies 408B, Ticket Office: Sales; 408C, Ticket Office: Complimentary Tickets, and 408D, Ticket Office: Distribution, in this Manual.)

Digital Ticketing Management System

The Athletic Ticket Office utilizes a digital ticketing management system that enables the sale of single event, group tickets, season tickets and season ticket renewals all through a third party online ticketing platform. Single game tickets are printed on demand either through the athletic ticket office or through the print-at-home delivery feature through the digital ticketing management system.

Printing

The Athletic Ticket Office Manager prepares the layout and design for all tickets with graphic design assistance from the athletic marketing office. The printing of the blank thermal ticket stock is put out to bid by the University’s Procurement and Property Services Department in accordance with University purchasing guidelines (see Policy 404, Purchasing Procedures in this Manual). Tickets for all home football, men’s and women’s basketball games are preprinted with all pertinent information included on the ticket (i.e., date, opposing team, section/row/seat, price, kick-off time). The Athletic Ticket Office Manager verifies the accuracy of the printing with the ticket manifest through the digital ticketing management system.
Roll stock for all ticketed events other than football and men’s & women’s basketball and for general admission tickets for football, is put out to bid. Numbered roll stock includes the name of the University and the price, only.

**Accountability and Security**

The Athletic Ticket Office Manager is responsible for receiving, managing and maintaining the inventory of printed tickets through the digital ticketing management system. Tickets are stored in the Athletic Ticket Office vault in the William R. Johnson Coliseum prior to game-day. In addition, blank thermal ticket stock is kept on hand for daily sales and game day use. Only the Athletic Ticket Office Manager or designee have access to the ticket inventory.

All deadwood and unused tickets are stored in the Athletic Ticket Office in the William R. Johnson Coliseum. Unsold tickets are verified from the sales report compiled by the Athletic Ticket Office Manager, with assistance from student assistants.

**Game Settlements – Consignment Tickets**

After a season has ended, game settlements are prepared by the Athletic Ticket Office Manager. Upon completion of the post-game report, the Athletic Ticket Office Manager prepares a payment voucher for any payment due. This voucher is approved by the Associate Athletic Director for Business Affairs and is forwarded to the Controller’s Office for payment.

**Ticket Office Hours**

The main Athletic Ticket Office is located in the William R. Johnson Coliseum. The operating hours are 8:00 a.m. - 5:00 p.m., Monday - Friday. On football game days, event venue sales windows at Homer Bryce Stadium are open one and a half (1 1/2) hours prior to kick-off and remain open until half-time. At Johnson Coliseum on basketball game days, windows are open one and a half (1 ½) hours prior to tip-off and remain open until half-time of single games, or until half-time of the second game if there is a double header. Baseball and softball ticket booths open one and a half (1 ½) hours prior to the start of each scheduled game and remain open until the bottom of the fifth inning for baseball and the bottom of the fourth inning for softball.

SFA
4/11/2016 7/2018
ATHLETIC TICKET OFFICE: SALES

The Athletic Ticket Office issues tickets for football, basketball, baseball and softball games. The Athletic Ticket Office Manager coordinates the day-to-day sale of tickets.

Any individual involved in the sale of tickets at the University is expected to use care in communicating with customers. In the event that a difficult situation arises, the employee should consult with a supervisor to resolve the problem. The Athletic Ticket Office Manager ensures that applicable University, Conference, and NCAA regulations are followed.

For additional Athletic Ticket Office information, see Policies 408A, Athletic Ticket Office: Operations; 408C, Athletic Ticket Office: Complimentary Tickets; and 408D, Athletic Ticket Office: Distribution, in this Manual.

Ticket Prices

Price structures for tickets to athletic events are established by the Director of Athletics with approval by the President. The criteria for establishing ticket prices may include ticket demand, facility seating, strength of schedule and revenue needs.

Methods of Payment

Tickets may be paid for with cash, checks, money orders or credit card (VISA, MasterCard, American Express & Discover only). Checks returned due to insufficient funds are forwarded to the University Business Office. Credit card purchases are validated by the Athletic Ticket Office using a card validation system and transmitted via electronic transfer.

For mail order, a handling fee of $2.00 is added. Mail orders may be paid for with a check, money order or credit card.

Record of Sales

All over the counter ticket sales are recorded on the Athletic Ticket Office cash register as the sale is made. The cash register is balanced at the end of each working day. However, during high volume sales periods, the register may be balanced more frequently.

Credit card sales totals are cumulative on the credit card verification machine. The Athletic Ticket Office Manager verifies the amount of purchases made by credit card any time the cash register is balanced. Credit card purchase totals are printed when a settlement number is requested from the machine. This transaction clears the machine of all previous transactions. Batches are also closed daily through the digital ticketing management system.

Mail order sales are recorded on the cash register as the check and order are received, verified and tickets distributed.

The daily report is made up of the combined individual reports (for game day sales) the credit card report, Ticket Outlet Agreement (see Appendix 408B-1), and the “Z” tape from the cash register in the Ticket Office. The Athletic Ticket Office Manager is responsible for generating the daily report and forwarding it to the University’s Business Office along with a copy of the deposit receipt (see below for information regarding the deposit of funds).

• Game Day Sales
Eight (8) to 12 walk-up sales windows are used on football game days at Homer Bryce Stadium and four (4) windows are used for events at Johnson Coliseum. There are two (2) windows at both baseball and softball venues.

Each sales window is manned by a ticket seller with an individual window balance sheet prepared in advance by the Athletic Ticket Office Manager. This balance sheet records the beginning numbers of each roll of consecutively numbered general admission tickets, as well as the total number of reserved seats they are issued.

Each sales window is manned by a ticket seller with a digital ticketing system PC, Boca thermal ticket printer and credit card swipe. The Boca thermal ticket printer is stocked with consecutively numbered ticket stock.

At the conclusion of sales, each seller will run a report and batch to determine if they are balanced. At the conclusion of sales, the ending ticket numbers and the total count of reserved deadwood is entered into the appropriate spaces on the balance sheet and the sales indicated are compared to the actual cash balance at the window to determine whether the window is balanced, or is “over or short.”

Game day sales revenues are deposited the following business day into the appropriate bank by an armed courier provided by the University Police Department. The Athletic Ticket Office Manager generates the deposit.

Online ticket sales are outsourced to the university’s third-party online ticketing agent through the digital ticketing management system. The Athletic Ticket Office Manager receives daily reports each morning for sales in the previous 24-hour period. Customers have the option to renew season tickets, print-at-home or use their mobile device upon entry. If requested, these orders are can be filled and are made available for pick up at Will Call for the selected event. At the conclusion of each month, sales are reconciled and payment is sent to the Athletic Ticket Office Manager for that month’s sales.

Season Ticket Applications

Season Ticket Applications Renewals are mailed to those individuals who purchased season or individual game tickets for the previous season, as well as to members of the SFA faculty and staff, managed through the digital ticketing management system. Additionally, applications are mailed to various persons and groups showing an interest in SFA athletics. (See Appendix 408B-2 for sample Season Ticket Applications for new and renewing ticket holders.) Renewal of season ticket is offered to season ticket holders for the same seating held the previous year. The deadline for renewing season tickets is normally four (4) weeks after customers are notified. the applications are mailed. (For additional information, see Policy 408D, Athletic Ticket Office: Distribution, in this Manual.)

Some ticket allocations, prices and reserved parking are based on levels of giving to the Varsity Club (see Appendix 408B-3 for the Athletic Fund Drive brochure and Policy 801, Athletic Fund Drive, in this Manual).

Student Tickets

At SFA, athletic event admissions are incorporated in registration fees for all students. However, students have the opportunity to purchase reserved season tickets at the same rate as faculty and staff. Individual reserved tickets for football and basketball may be purchased at the Ticket Office or any walk-up window on game days.
General student admission is free for all full-time students and their spouses and dependents upon presentation of a valid SFA photo I.D. at any Stadium or Coliseum admission gate.

SFA
11/2016-7/2018
KEY DISTRIBUTION

All full-time Departmental staff members, as well as student managers, are provided with keys to access their buildings and offices by the Associate Athletic Director for Business Affairs upon completion of a Key Request Form (see Appendix 409-1). Under no circumstances are keys to be issued to student-athletes.

For security and personal safety reasons, all employees are encouraged to lock their offices and exterior building doors upon leaving or when working after regular hours. Certain areas have limited access, and only those full-time staff members with specific responsibilities requiring access to those areas are provided with keys. Additionally, the Director of Athletics, Senior Associate, Associate and Assistant Athletic Directors, Supervisor of Equipment and Facilities, Head Trainer and Administrative Assistant to the Director of Athletics have master keys to Departmental facilities.

Key Issuance and Control

The issuance and control of Departmental keys is the responsibility of the Associate Athletic Director for Business Affairs. Key requests are filled by the SFA Physical Plant Lockshop upon completion and approval of a Key Request Form upon entry of a work order through the Physical Plant’s AIM on-line system. Entries are performed by the Supervisor of Facilities and Equipment upon request by the Associate Athletic Director for Business Affairs. The completed form must be signed by the Associate Athletic Director for Business Affairs. Keys are recorded by number and issued to approved staff members. Keys may also be temporarily issued on an “as needed” basis.

Lost or stolen keys are to be reported immediately to the Physical Plant Lockshop, Associate Athletic Director for Business Affairs. Replacement keys are issued after completion of a Key Request Form. A replacement fee is paid using an Interdepartmental Transfer using the same procedure as described above.

Keys are will be confiscated from any unauthorized person found to be in possession of a Departmental key. Confiscated keys are delivered to the Associate Athletic Director for Business Affairs with a written report of the circumstances related to the unauthorized key being confiscated.

When terminating employment with the University or transferring to another on-campus department, an employee must return all Departmental keys in his/her possession to the Associate Athletic Director for Business Affairs prior to separation. The Associate Athletic Director for Business Affairs confirms receipt of keys with the University Personnel Office by telephone call. All key requests and returns are handled by Associate Athletic Director for Business Affairs.

Limited Access Areas

Certain areas within the Department are designated as “limited access areas.” The Training Room and the Equipment Room vault are so designated. The Head Trainer, Assistant Trainers, Director of Athletics, Senior Associate, Associate and Assistant Athletic Directors and the Supervisor of Equipment and Facilities are issued keys to the Training Room. Keys to the Equipment Room are issued to the Supervisor of Equipment and Facilities, Head Trainer, Director of Athletics and Senior Associate, Associate and Assistant Athletic Directors, as well.

SFA
STUDENT-ATHLETES: PROMOTIONAL ACTIVITIES

The Department of Intercollegiate Athletics adheres to all University, Southland Conference, and NCAA rules and regulations related to student-athletes’ participation in promotional activities. NCAA rules specifically state when and under what conditions such activities are permissible, and they must be strictly followed when evaluating potential promotional activities for Stephen F. Austin State University student-athletes. The Senior Associate Athletic Director for Compliance is responsible for evaluating and approving all requests for promotional activities before submitting them to the Director of Athletics for final approval.

Adherence to Related NCAA Regulations

Specifically, NCAA Bylaw 12.5 states that a member institution or recognized entity thereof (i.e., fraternity, student government organization, etc.), a member conference, and noninstitutional charitable, educational or nonprofit agencies may use the student-athlete’s name, picture or appearance to support its charitable or educational activities, or to support activities considered incidental to the student-athlete’s participation in intercollegiate athletics, provided the Director of Athletics gives his/her written approval to the activity.

- The specific activity or project in which the student-athlete participates does not involve co-sponsorship, advertisement or promotion by a commercial agency other than through the reproduction of the sponsoring company’s regular trademark or logo printed on materials such as pictures, posters or calendars. The company’s emblem, name, address, telephone number and Web site address may be included with the trademark or logo. Personal names, message and slogans (other than an officially registered trademark) are prohibited. (Specifically, student-athletes may not appear as commercial spokesmen or representatives for companies. Furthermore, no monetary compensation other than for allowable expenses may be made to the student-athlete.);

- The name or picture of a student-athlete with remaining eligibility may not appear on an institutions printed promotional item (e.g., poster, calendar) that includes a reproduction of a product with which a commercial entity is associated if the commercial entity’s officially registered trademark or logo also appears on the item.

- The student-athlete does not miss a class to participate in the activity;

- The student-athlete’s name, picture or appearance is not utilized to promote the commercial ventures of any nonprofit agency;

- Any commercial items with the names or pictures of student-athletes may be sold only at outlets controlled by the charitable or educational organization or the University; and,

- All monies derived from the activity or project go directly to the member institution, charitable organization, or educational/nonprofit agency. However,

- The student-athlete is permitted to receive legitimate and normal expenses from the University, charitable organization or educational agency related to the activity, provided participation takes place within the state or, if outside the state, within a 100-mile radius of the campus.

Appendix 1
• Any commercial items with names, likenesses or pictures of multiple student-athletes (other than highlight films or media guides) may be sold only at the member institution at which the student-athletes are enrolled, institutionally controlled (owned and operated) outlets or outlets controlled by the charitable or educational organization (e.g., location of the charitable or educational organization, site of charitable event during the event). Items that include an individual student-athlete’s name, picture or likeness (e.g., name on jersey, name or likeness on a bobble-head doll), other than informational items (e.g., media guide, schedule cards, institutional publications), may not be sold.

The Senior Associate Athletic Director for Compliance is responsible for evaluating requests by University, charitable or educational entities desiring to use SFA student-athletes to promote their causes or requesting a student-athlete as a speaker. Each organization requesting participation of student-athletes in promotional activities must submit a request, in writing, to the Senior Associate Athletic Director for Compliance. If the request meets NCAA requirements, a promotional activities release form is completed (Appendix 507B-1) and it is forwarded to the Director of Athletics for approval.

Summer Sports Camps Promotions

A student-athlete's name, picture and institutional affiliation may be used by a privately owned summer sports camp in its brochure only to identify the student-athlete as a staff member. The student-athlete's name or picture may not be used in any other way to directly advertise or promote the camp.

SFA
7/20172018
AGREEMENT BETWEEN
STEPHEN F. AUSTIN STATE UNIVERSITY
NELSON RUSCHE COLLEGE OF BUSINESS
AND
CHADWICK FAMILY BANKING PROGRAM
ADVISORY COUNCIL

This Agreement is made and entered into as of July 24, 2018 between Stephen F. Austin State University for the benefit of its Nelson Rusche College of Business, hereinafter referred to as the College, and the Chadwick Family Banking Program Advisory Council, hereinafter referred to as the Council.

Whereas, the College is part of the university as a whole and the university Board of Regents formally adopts this Agreement in accordance with its policies and state law;

Whereas, the Council, an independent association which exists solely for the support of the university and its Chadwick Family Banking Program, hereinafter referred to as the Program, adopts this Agreement with its Bylaws;

Whereas, the Council was created to provide guidance, assistance, support, and advocacy in furtherance of the Program and not to compete or overlap with the mission and purpose of other College related and university recognized support organizations; and

Whereas, the College and the Council provide and make available certain services and benefits to each other and work together to promote the activities and opportunities for the Program, College, university and East Texas;

Now, therefore, in consideration of the covenants, promises, terms and provisions herein contained, the parties mutually agree to the following:

GENERAL PROVISIONS

ARTICLE I

1. To the extent allowed by state law, this agreement shall remain in full force and effect until terminated by either party or suspended by a subsequent agreement. While every effort will be made to provide 60 days written notice for termination of this agreement by either party, Stephen F. Austin State University in accordance with its policy and state law may terminate this agreement at any time.

2. This agreement is solely between the parties and cannot be assigned to another party without written approval from the non-assigning party.

3. This agreement in entered into in Nacogdoches County and proper venue shall be in Nacogdoches County, Texas.

4. This agreement is subject to and shall be construed under the laws of the State of Texas including Chapter 2255 of the Texas Government Code. The invalidity or illegality of any provision in this agreement shall not affect other terms or conditions of the agreement.

5. This agreement contains the entire agreement of the parties and no change or modification of this agreement is binding unless in writing and signed by the parties.

ARTICLE II

The Council agrees to provide the following services:

1. Strengthen educational opportunities for students in the College who are seeking to earn a
Bachelor of Business Administration (B.B.A.) in Banking, or are otherwise interested in
pursuing a career in the banking and financial services industry;
2. Identify and open pathways for College students into the banking and financial services industry through internships, career entry employment opportunities, and mentoring activities;
3. Build mutually beneficial relationships between the banking industry and University;
4. Support and execute revenue generating activities for the benefit of the Program, within any guidelines or limitations imposed by the university, College, and state or federal law, if any; and
5. Seek to perform those functions that the Program cannot provide itself.

ARTICLE III

The College will provide the following:

1. To the extent available and allowable, reasonable space such as meeting rooms and opportunities to host approved events in the College for the Council to carry out its obligations;
2. To the extent available and allowable, College staff may assist in formulating Council communication materials, using staff time, computers, copy machines and telephones, but only to the extent that the content and costs are approved by the Program Director of the Program ("Program Director"). College staff typically assigned to duties outside of the Program or the Department of Economics and Finance may be used with the permission of the dean of the College. Extraordinary use of university and College staff time, equipment and materials will not be permitted;
3. Work with the university’s Office of Development to generate receipts, maintain donor gift histories, and provide the Council with annual gift reports;
4. The College hereby expressly recognizes that the president, vice-presidents, advancement officers, deans, faculty members, and staff members may reasonably assist from time to time in the development programs or may be needed or helpful in coordinating those Council activities with the operations of the College. No monetary or pecuniary enrichment will be made to any officer or employee of the university by Council or its donors. Conduct of employees is governed by the university and when conflicts arise, university policies shall govern the conduct of its employees.
5. The Program Director, or a representative appointed by the Dean of the College, will serve in an ex-officio capacity on the Council; and
6. When feasible, assistance in research and investigation of individuals, foundations, businesses and corporations’ best qualified as prospective members, intern sites, or partners.

ARTICLE IV

The Council will assure the College that the activities of the Council will always be in support of the objectives, goals and priorities of the College and Program, as communicated to it by the Program Director.
ARTICLE V

All opportunities for fund raising activity will be referred to the university’s Office of Development for solicitation, follow-up and management. The university/College reserves the right to accept or deny any gift or donation within its sole discretion.

In the event that Council activities generate revenue, the Council will only do so in the name of Stephen F. Austin State University. Because the Council will only generate revenue in the name of the university, the moneys will be deposited in university accounts, invested through the university investment program, and governed in accordance with university policy, or as authorized by the university may be deposited in the SFASU Foundation, invested through the SFASU Foundation investment program and governed in accordance with SFASU Foundation and university policy.

ARTICLE VI

Disbursement from Council accounts will be supervised by the Program Director and will be made only for expenditures consistent with the explicit purposes for which the accounts were established and the restrictions of the donors. Full documentation will be required for each disbursement.

ARTICLE VII

The allocation and budgeting of unrestricted funds is to be determined by the Dean of the College. Resources raised by other support organizations and for which the College may serve as a trustee of funds shall be allocated by the restrictions of the donor and by the support organization. Restricted gifts shall be allocated by the restrictions of the donor and by the Dean of the College.

The allocation, expenditure, and transfer of all resources raised by the Council will be reported to the leadership of the Council regularly by the Program Director. The Program Director will assure that all expenditures, irrespective of the allocation process, are consistent with state law and the charter of the Council. When in conflict, State law shall always supersede.

CHADWICK FAMILY BANKING PROGRAM ADVISORY COUNCIL

Stephen F. Austin State University

By: ___________________________  By: ___________________________
Program Director, Organizing Agent  Dean, Nelson Rusche College of Business

By: ___________________________
Provost

By: ___________________________
President
Capital Plan Items

1. Campus Space Realignment and Renovation

Explanation:

At the April 12, 2016 meeting the Board of Regents approved Facility Programming and Consulting (FP&C) to assess campus building space and utilization, and develop a comprehensive space utilization plan. FP&C has concluded the space assessment recommendations on education and general (E&G) buildings. Using the FP&C space assessment as a guide, the university wishes to implement a space realignment, utilization, and renovation process. The process will involve departmental and functional moves and any necessary E&G space reconfiguration and/or renovation. The space implementation plan will begin in fiscal year 2018 and will be prioritized based on institutional need and available resources. Specific initiatives that require Board of Regents’ approval will be submitted as needs are prioritized and costs are fully developed.

Recommendation:

The administration recommends approval to begin the implementation of a campus space utilization plan that may include architectural and/or engineering assessment, departmental or functional moves, space reconfiguration and/or renovation, and other costs necessary to repurpose campus space. The higher education fund (HEF) will be used to fund the initial implementation plan at a cost of $4,500,000.

2. ITS Infrastructure and System Support

Explanation:

A unified ITS endpoint management system, campus firewall upgrade and networking equipment is essential for effective ITS delivery and support services. Implementing a Unified Endpoint Management (UEM) system will allow ITS to manage desktops and laptops from a central system. The UEM system will allow ITS to more quickly and efficiently support end users with client based issues. The UEM system will also allow ITS to ensure operating system updates, application updates and security patches are installed in an efficient and timely manner. The solution will provide capabilities to assist in the deployment of configuration standards while allowing for the flexibility to meet the diverse IT needs of the university. The implementation of this system is in response to the Texas Administrative Code 202 Configuration Management (CM) Security Control Family and Controlled Maintenance (MA-2) requirements.

The current campus firewall has reached the end of its useful life and needs to be replaced. The continued growth of cloud based resources has necessitated the redesign of our firewall.
environment. The replacement firewalls will include the use of high availability clustering which allows for automatic failover from a primary firewall to a redundant unit if there is a failure. The implementation of the new firewalls will allow ITS to better segment the network traffic on campus and better prevent a network outage due to hardware failure. Core network components are on a five-year replacement cycle.

To maintain secure, reliable network connectivity to wired and wireless networks, it is necessary to upgrade and replace networking infrastructure equipment, wireless access points, and server and storage environments which support the network. The changes in wireless networking standards and the constant introduction of new wireless enabled devices necessitates wireless networking equipment be replaced every few years. Wired network equipment is on a seven-year replacement cycle while wireless networking equipment is on a five-year replacement cycle.

Recommendation:

The administration recommends approval of the Unified Endpoint Management system, Campus Firewall Upgrade and Networking Equipment implementation at a cost not to exceed $890,000. The Higher Education Fund (HEF) will be used to fund the project with $155,000 from FY18 HEF and $735,000 from FY19 HEF. The administration further recommends presidential authorization to sign purchase orders and contracts greater than or equal to $100,000.

3. **Sand Volleyball Courts**

Explanation:

The university wishes to increase the number of sports available to female students with the addition of a sand volleyball program. This sport is very popular with other Division I athletic programs. To offer the sport and compete with other Division I programs, a minimum of three courts must be created. To facilitate practices and scheduling, construction of a fourth court is also planned.

Recommendation:

The administration recommends approval of the project using designated fund balance at a cost not to exceed $750,000. The administration further recommends presidential authorization to sign associated contracts and purchase orders that total $100,000 or more.
4. **Griffith and Kerr Halls Hot Water Piping**

Explanation:

Griffith Hall | 53 years old (1965) | 535 beds
Kerr Hall | 50 years old (1968) | 536 beds

There have been chronic problems lately with the hot water piping at both Griffith and Kerr. The resulting leaks have been temporarily addressed by placing repair clamps on the main lines under each building; however these have been short-term fixes. The long-term solution is to replace the hot water piping at each hall during the summer of 2019.

Recommendation:

The administration recommends approval of the project using budgeted auxiliary funds at a cost not to exceed $643,418. The administration further recommends presidential authorization to sign associated contracts and purchase orders that total $100,000 or more.

5. **McGee and McKibben Buildings Exterior Cleaning and Waterproofing**

Explanation:

This project continues education and general buildings’ exterior improvements. The exterior brick veneer, parapet stone work, expansion joints, windows and adjoining concrete need to be cleaned, repaired and have waterproofing applied.

McGee Business | built 1974 | 4 floors
McKibben Education | built 1974 | 4 floors

Recommendation:

The administration recommends approval of the project using the higher education fund (HEF) at a cost not to exceed $545,000. The administration further recommends presidential authorization to sign associated contracts and purchase orders that total $100,000 or more.
6. *Classroom Technology Upgrades*

Explanation:

The university is continuing technology updates, instructional equipment replacement and classroom updates to enhance instructional delivery. This initiative will provide funds to upgrade classrooms and obtain and/or replace technology-related instructional delivery equipment.

Recommendation:

The administration recommends approval of the project using the higher education fund (HEF) at a cost not to exceed $347,000. The administration further recommends presidential authorization to sign associated contracts and purchase orders that total $100,000 or more.

7. *ITS Data Center Upgrade*

Explanation:

The Uninterruptible Power Supply (UPS) servicing the Boynton Data Center will reach its end of life in January 2019. Boynton serves as the primary data center for SFA and the UPS is an integral part of the infrastructure which is required to operate the data center to ensure high availability of IT services to the university. A new UPS will be purchased and installed prior to the January 2019 end of life date.

The current test and disaster recovery storage environment has also reached its end of life and must be replaced. This environment provides ITS the ability to test solutions prior to implementation in production and helps to ensure recovery from a disaster in a timely manner.

Lastly, data is currently backed up to tape and taken offsite to a local bank where the tapes are secured. This is an antiquated back-up solution which is costly in software, hardware and person-hours. Updating this solution to a more modern disk backup environment will allow for faster data backups and recovery and more efficient use of personnel. The solution will provide ITS with additional backup options which currently do not exist.

Recommendation:

The administration recommends approval of this project using the higher education fund (HEF) at a cost not to exceed $285,000. The administration further recommends presidential authorization to sign associated contracts and purchase orders that total $100,000 or more.
8. **Boynton Building Restroom Remodeling**

Explanation:

The Boynton Building was originally built in 1957 and an addition was constructed in 1975. The restrooms are all old and dated and have experienced plumbing failures which have caused consequential damage. All restrooms are in need of refurbishment.

Recommendation:

The administration recommends approval of the project using the higher education fund (HEF) at a cost not to exceed $275,000. The administration further recommends presidential authorization to sign associated contracts and purchase orders that total $100,000 or more.

9. **ITS VDI Server Replacement**

Explanation:

This request is for the replacement of the current virtual desktop infrastructure (VDI) and expanding the number of servers and VMWare Horizon licenses for VDI. This will support currently deployed VDI units with capacity to expand VDI utilization at the university. The upgraded VDI environment will enable support of graphically intense software such as AutoCAD, Revit, NDesign and Arc Map. This upgrade will provide the capability to deliver a SFA managed virtual desktop for use with online classes and provide greater access to educational software.

Recommendation:

The administration recommends approval of the project using the higher education fund (HEF) at a cost not to exceed $260,000. The administration further recommends presidential authorization to sign associated contracts and purchase orders that total $100,000 or more.
10. **Steen Hall Roof Replacement**

Explanation:

The following residence hall roof is scheduled for replacement:

Steen Hall | 50 years old (1968) | 764 beds
Last roofed in 2002. During a recent inspection due to multiple leaks, it was determined that the roof needs to be replaced.

Recommendation:

The administration recommends approval of the project using auxiliary fund balance at a cost not to exceed $251,518. The administration further recommends presidential authorization to sign associated contracts and purchase orders that total $100,000 or more.

11. **College of Education Annex Roof Replacement**

Explanation:

The College of Education Annex was built in 1975 and last re-roofed in 1988. This roof has exceeded its useful life and needs to be replaced.

Recommendation:

The administration recommends approval of the project using the higher education fund (HEF) at a cost not to exceed $220,000. The administration further recommends presidential authorization to sign associated contracts and purchase order that total $100,000 or more.

12. **Early Childhood Research Center Chiller**

Explanation:

The Early Childhood Research Center currently has one chiller. An additional chiller would provide redundancy in the event the primary unit failed or required maintenance. This project includes all necessary electrical, control work, piping, insulation, etc. to relocate, install, and integrate the chiller in the ECRC mechanical building.

Recommendation:

The administration recommends approval of the project using the higher education fund (HEF) at a cost not to exceed $200,000. The administration further recommends presidential authorization to sign associated contracts and purchase orders that total $100,000 or more.
13. **McKibben Education Building First Floor Lobby Renovations**

Explanation:

The McKibben Education building was built in 1974. Both entry lobbies are old and need to be refurbished.

Recommendation:

The administration recommends approval of the project using the higher education fund (HEF) at a cost not to exceed $150,000. The administration further recommends presidential authorization to sign associated contracts and purchase orders that total $100,000 or more.

14. **University Police Vehicle and Body Cameras**

Explanation:

Video cameras mounted in each UPD patrol vehicle are used to record stops conducted by officers. There are eight (8) vehicles equipped with cameras. In addition, body cameras are worn by twenty-one (21) officers to record the interaction of each officer with the people they come into contact with. Our current in-vehicle cameras and body-camera units are past the recommended end of life and due for replacement.

Recommendation:

The administration recommends approval of purchase of these cameras using auxiliary fund balance at a cost not to exceed $139,800. The administration further recommends presidential authorization to sign associated contracts and purchase orders that total $100,000 or more.

15. **Physical Plant Department Vehicle Replacement**

Explanation:

The Physical Plant Department has 91 vehicles that are necessary to provide various services on campus. Of the existing vehicles, 78 are at least 20 years old. It is necessary to systematically replace vehicles to help ensure reliability and reduce expensive repair costs on the older vehicles.

Recommendation:

The administration recommends approval of the project using the higher education fund (HEF) at a cost not to exceed $120,000. The administration further recommends presidential authorization to sign associated contracts and purchase orders that total $100,000 or more.
16. **Ferguson Building Lighting Panel Replacement**

Explanation:

The electrical panels throughout the Ferguson Building are nearly fifty years old and have no spare circuits available. This project will upgrade all electrical distribution and lighting panels with new technology and increase circuit capacity for future electrical needs.

Recommendation:

The administration recommends approval of the project using the higher education fund (HEF) at a cost not to exceed $120,000. The administration further recommends presidential authorization to sign associated contracts and purchase orders that total $100,000 or more.

17. **College of Forestry GIS Computer Work Stations**

Explanation:

The workstations will replace aging units located in the Forestry Geographic Information System (GIS) lab. The workstations range in age from six to eight years old. Approximately 45 workstations will be replaced.

Recommendation:

The administration recommends approval of the project using the higher education fund (HEF) at a cost not to exceed $106,000. The administration further recommends presidential authorization to sign associated contracts and purchase orders that total $100,000 or more.

18. **Commencement Chairs and Equipment**

Explanation:

The university has had increases in its graduating classes for a number of years. To accommodate the number of graduates and visitors, the university began holding two graduation ceremonies for each fall and spring graduating class. The commencement chairs and equipment are old and need to be replaced.

Recommendation:

The administration recommends approval of the project using the higher education fund (HEF) at a cost not to exceed $105,330. The administration further recommends presidential authorization to sign associated contracts and purchase orders that total $100,000 or more.
19. *PC Replacement Fund*

Explanation:

The university has a policy that guides the replacement of Personal Computers (PC). The intent is to have a revolving PC replacement process that systematically replaces old personal computers that have extended beyond their useful life.

Recommendation:

The administration recommends approval of the project using the higher education fund (HEF) at a cost not to exceed $100,000. The administration further recommends presidential authorization to sign associated contracts and purchase orders that total $100,000 or more.
# Changes in Course Fees

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# Fiscal Year 2019 Higher Education Fund Appropriation

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<td>ITS Data Center Upgrade</td>
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<td>Boynton Building Restroom Remodeling</td>
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<td>College of Education Annex Roof Replacement</td>
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<td>Early Childhood Research Center Chiller</td>
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<td>McKibben Education Building First Floor Lobby Renovations</td>
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<td>Physical Plant Department Vehicle Replacement</td>
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<td>Ferguson Building Lighting Panel Replacement</td>
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## Total HEF Allocation

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<td>Total HEF Allocation</td>
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Fiscal Year 2018 – as of May 31, 2018

Amounts allocable to FY18 (detailed in this report)

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<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$1,142,402</strong></td>
</tr>
</tbody>
</table>

Cumulative amount allocable to FY18 $5,889,796

New awards (detailed in this report, all project years) $632,196

Cumulative award total, all project years $17,543,213

Federal Student Funds (not included in overall grant totals) $39,205

New, Additional, or Previously Unreported Awards for FY 2018

Direct Federal

Title: *Examining Terrestrial Food-Web Structure in Managed and Unmanaged Shortleaf Pine Forests in East Texas*

Sponsor: US Forest Service/USDA

Award Term: August 1, 2018 – July 30, 2023

PI/PD: Dr. Christopher Schalk, Forestry and Agriculture

Total Award: $54,000

Amount Allocable to FY 2018: $4,000

This research project will examine forest management practices and the impact on terrestrial food-webs in the East Texas forests.

Previously Described Awards

*McIntire-Stennis Cooperative Forestry Research Program FY18*

Award Total: $463,072

Amount allocable to FY 2018: $463,072

Talented Teachers in Training for Texas (T4) Phase II

Award Total: $1,049,936

Amount allocable to FY 2018: $296,951

Compaction and Seedling Growth and Survival on Reclaimed Mines in the Western Gulf

Award Total: $149,939

Amount allocable to FY 2018: $18,627

*SFA Prescribed Fire Monitoring Assistance, FY18-23*

Total Award: $18,000

Amount Allocable to FY 2018: $18,000

*New awards or additional funds added to a current award

1 For purposes of this report, the term grant refers to awards in the form of grants, contracts, and other types of agreements from external sponsors. It does not include non-grant scholarships or gifts. Prepared by the Office of Research & Sponsored Programs.
Report to the Board of Regents – July 2018
Grants\(^1\) awarded between and March 1, 2018 and May 31, 2018

*New awards or additional funds added to a current award

\(^1\)For purposes of this report, the term grant refers to awards in the form of grants, contracts, and other types of agreements from external sponsors. It does not include non-grant scholarships or gifts. Prepared by the Office of Research & Sponsored Programs.

<table>
<thead>
<tr>
<th>Grant Description</th>
<th>Total Award:</th>
<th>Amount Allocable to FY 2018:</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>SFA Prescribed Fire Assistance FY18-23</em></td>
<td>$2,500</td>
<td>$2,500</td>
</tr>
</tbody>
</table>

**Previously detailed awards with modifications**

<table>
<thead>
<tr>
<th>Grant Description</th>
<th>Award Total:</th>
<th>Amount allocable to FY 2018:</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Visitor Use Monitoring (NVUM) – Texas FY18</td>
<td>$96,000</td>
<td>*$80,000</td>
</tr>
<tr>
<td>Texas Archeological Society Field School, Archeological Survey, and Site Evaluations</td>
<td>$43,074</td>
<td>*$13,000</td>
</tr>
<tr>
<td>Center for Regional Heritage Research Collections Processing</td>
<td>$45,936</td>
<td>*$9,000</td>
</tr>
</tbody>
</table>

Subtotal Federal Amounts Allocable to FY2018 (this report) = $905,150
Subtotal New Direct Federal Awards (total award) = $639,572

**Federal Student Funds** (not included in ORSP Totals)

<table>
<thead>
<tr>
<th>Department of Education Pell-grant allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY18 Increase of $24,080</td>
</tr>
<tr>
<td>Agency: Department of Education</td>
</tr>
<tr>
<td>Manager: Rachele Garrett, Financial Aid</td>
</tr>
<tr>
<td>This federal program funds need based grants for low-income students.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Department of Education federal work-study allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY18 Increase of $15,125</td>
</tr>
<tr>
<td>Agency: Department of Education</td>
</tr>
<tr>
<td>Manager: Rachele Garrett, Financial Aid</td>
</tr>
<tr>
<td>This program funds work-study students.</td>
</tr>
</tbody>
</table>

Total Federal Student Funds (not included in overall grant totals) $39,205
Federal Pass-through

**Title**
*Defining the Distribution and Extent of the Western Spread of Pseudogymnoascus Destructans: Implications for overwintering bats in Texas*

**Sponsor:** Texas A&M University College Station (US Fish and Wildlife Service)
Award #M1800594, CFDA 15.657

**Award Term:** September 1, 2017 – September 1, 2019

**PI/PD:** Dr. Christopher Comer, Forestry and Agriculture

**Total Award:** $10,000  
**Amount Allocable to FY 2018:** $5,000

As the subrecipient, SFA will provide logistical and field support for the research involving impacts on the spread of this particular fungus on the winter bat populations.

**Previously Described Awards**

*Investigating the Potential for Golden Kiwifruit as a New Specialty Crop in Texas, Phase 2*

**Award Total:** $40,105  
**Amount allocable to FY 2018:** $30,078

**Subtotal Amounts Allocable to FY2018 (this report) =** $35,078

**Subtotal New Direct Federal Pass-Through awards (total award) =** $50,105

State and State Pass-through Awards

**Title**  
*Field and Experimental Assessments of the Impact of Erosion Control Materials on Wildlife*

**Sponsor:** Texas Parks & Wildlife  
Award #508197

**Award Term:** March 5, 2018 – August 31, 2018

**PI/PD:** Dr. Christopher Schalk, Forestry and Agriculture

**Total Award:** $29,768  
**Amount Allocable to FY 2018:** $29,768

This research project proposes to examine the impact various erosion control products has on wildlife to develop best management practices.

**Previously Described Awards**

Disability Services – Reader Services 12-17

**Award Total:** $167,067  
**Amount allocable to FY 2018:** *$12,655

**Subtotal Amounts Allocable to FY 2018 (this report) =** $42,423

**Subtotal New State and State Pass-through Awards (total award) =** $196,835

*New awards or additional funds added to a current award

1For purposes of this report, the term grant refers to awards in the form of grants, contracts, and other types of agreements from external sponsors. It does not include non-grant scholarships or gifts. Prepared by the Office of Research & Sponsored Programs.
Private Entity and Local Government Awards

Title: *Evaluating the Addition of Magni-Phi with a Cold-Season Anticoccidial Program

Sponsor: Phibro Animal Health Corp.
Award Term: March 9, 2018 – June 30, 2018
PIs/PDs: Dr. Joey Bray, Department of Agriculture
Total Award $14,751 Amount Allocable to FY 2018: $14,471

Previously detailed awards with modifications:

Gilbert I. “Buddy” Low Scholarship Program
Award Total: $220,000 Amount allocable to FY 2018: *$100,000

Departmental Research Grant: Basic Chemical Research, FY17-19
Award Total: $125,000 Amount allocable to FY 2018: *$45,000

Subtotal Private/Local Amounts Allocable to FY2018 (this report) = $159,751
Subtotal New Private and Local Awards (total award) = $359,751

Note: Amounts are based on award notices as they are received from the funding entity, not on expenditures or balances in funds/accounts. To reflect the approximate availability of funds in a given fiscal year, some current year awards are estimates based on the total amount awarded spread over the award period.

*New awards or additional funds added to a current award

1For purposes of this report, the term grant refers to awards in the form of grants, contracts, and other types of agreements from external sponsors. It does not include non-grant scholarships or gifts. Prepared by the Office of Research & Sponsored Programs.
## Policies for Board Review
### July 24, 2018

<table>
<thead>
<tr>
<th>Policy Name</th>
<th>Policy Number</th>
<th>Action/Change</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Academic and Student Affairs Committee</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Access to University Records</td>
<td>2.1</td>
<td>Minor wording changes.</td>
<td>P-5</td>
</tr>
<tr>
<td>Dead Week</td>
<td>7.8</td>
<td>No changes.</td>
<td>P-7</td>
</tr>
<tr>
<td>Discipline and Discharge</td>
<td>11.4</td>
<td>Unprofessional conduct added. Form changed to Employee Counseling/Discipline Record.</td>
<td>P-9</td>
</tr>
<tr>
<td>Export Control (NEW)</td>
<td>2.15</td>
<td>New policy.</td>
<td>P-17</td>
</tr>
<tr>
<td>Information Security Incident Response and Reporting (NEW)</td>
<td>14.14</td>
<td>New policy.</td>
<td>P-21</td>
</tr>
<tr>
<td>Nepotism</td>
<td>11.16</td>
<td>Minor wording changes.</td>
<td>P-28</td>
</tr>
<tr>
<td>Radioactive or Radiation-Producing Materials or Equipment</td>
<td>13.17</td>
<td>Minor clarifications.</td>
<td>P-32</td>
</tr>
<tr>
<td>Salary Supplements, Stipends and Additional Compensation</td>
<td>12.16</td>
<td>Restricts supervisor from compensation for a position that reports to them.</td>
<td>P-36</td>
</tr>
</tbody>
</table>

Appendix 8
<table>
<thead>
<tr>
<th>Policy Name</th>
<th>Policy Number</th>
<th>Action/Change</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Service Awards</td>
<td>12.17</td>
<td>Added purpose and definitions.</td>
<td>P-43</td>
</tr>
<tr>
<td>Sexual Misconduct</td>
<td>2.13</td>
<td>Clarifications made to align with regulatory guidelines.</td>
<td>P-46</td>
</tr>
<tr>
<td>Social Media</td>
<td>15.11</td>
<td>Minor wording changes.</td>
<td>P-71</td>
</tr>
<tr>
<td>Staff Development</td>
<td>11.27</td>
<td>To be deleted. Content included in policy 11.11.</td>
<td>P-74</td>
</tr>
<tr>
<td>Student Code of Conduct</td>
<td>10.4</td>
<td>Reviewed with no revisions recommended.</td>
<td>P-76</td>
</tr>
<tr>
<td>Student Employment</td>
<td>10.6</td>
<td>Minor updates and clarifications.</td>
<td>P-94</td>
</tr>
<tr>
<td>Wireless Networking</td>
<td>14.11</td>
<td>Minor clarifications.</td>
<td>P-99</td>
</tr>
<tr>
<td><strong>Building and Grounds Committee</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Energy Conservation</td>
<td>16.10</td>
<td>Added purpose and definitions.</td>
<td>P-102</td>
</tr>
<tr>
<td>Fleet Management</td>
<td>16.11</td>
<td>Minor wording changes.</td>
<td>P-105</td>
</tr>
<tr>
<td>Policy Name</td>
<td>Policy Number</td>
<td>Action/Change</td>
<td>Page</td>
</tr>
<tr>
<td>-----------------------------------------------------------------</td>
<td>---------------</td>
<td>-------------------------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>Lease, Rental or Use of Off-Campus Facilities</td>
<td>16.15</td>
<td>Procedures deleted. Inspection requirement removed.</td>
<td>P-108</td>
</tr>
<tr>
<td>Rental of University Vehicles</td>
<td>16.23</td>
<td>Minor wording changes.</td>
<td>P-112</td>
</tr>
<tr>
<td><strong>Finance and Audit Committee</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Auditing a Course – Tuition and Fees</td>
<td>3.3</td>
<td>Added purpose and definitions.</td>
<td>P-117</td>
</tr>
<tr>
<td>Central Stores</td>
<td>17.3</td>
<td>Added purpose and definitions.</td>
<td>P-119</td>
</tr>
<tr>
<td>Computer Purchase and Replacement</td>
<td>17.4</td>
<td>Replacement cycle changed from 4 to 5 and where necessary.</td>
<td>P-121</td>
</tr>
<tr>
<td>Delegated Purchasing Authority</td>
<td>17.5</td>
<td>Added purpose and definitions.</td>
<td>P-126</td>
</tr>
<tr>
<td>External Bank Accounts</td>
<td>3.14</td>
<td>No changes.</td>
<td>P-130</td>
</tr>
<tr>
<td>Institutional Reserve Fund</td>
<td>3.19</td>
<td>Minor wording changes.</td>
<td>P-133</td>
</tr>
<tr>
<td>Memberships</td>
<td>17.10</td>
<td>Minor wording changes.</td>
<td>P-136</td>
</tr>
<tr>
<td>Payment Card Acceptance and Security</td>
<td>14.8</td>
<td>Minor wording changes.</td>
<td>P-138</td>
</tr>
<tr>
<td>Policy Name</td>
<td>Policy Number</td>
<td>Action/Change</td>
<td>Page</td>
</tr>
<tr>
<td>------------------------------------------------</td>
<td>---------------</td>
<td>--------------------------------------------</td>
<td>--------</td>
</tr>
<tr>
<td>Physical Plant Charges</td>
<td>16.20</td>
<td>Minor wording changes.</td>
<td>P-143</td>
</tr>
<tr>
<td>Post Bond Issuance Federal Tax Compliance</td>
<td>3.5</td>
<td>Updates to reflect current requirements.</td>
<td>P-146</td>
</tr>
<tr>
<td>Procurement Training</td>
<td>17.25</td>
<td>Minor wording changes.</td>
<td>P-152</td>
</tr>
<tr>
<td>Purchases from Officers or Employees</td>
<td>17.21</td>
<td>Minor wording changes.</td>
<td>P-155</td>
</tr>
<tr>
<td>Purchasing Ethics and Confidentiality</td>
<td>17.22</td>
<td>Updates to reflect legislative changes.</td>
<td>P-158</td>
</tr>
<tr>
<td>Travel</td>
<td>3.29</td>
<td>Guidelines apply to students and athletics. Fraudulent claims can result in dismissal.</td>
<td>P-163</td>
</tr>
</tbody>
</table>
POLICY SUMMARY FORM

Policy Name: Access to University Records

Policy Number: 2.1

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

Date of last revision, if applicable: 7/24/2015

Unit(s) Responsible for Policy Implementation: General Counsel

Purpose of Policy (what does it do): This policy details the university’s compliance with the Public Information Act

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

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

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: No substantive revisions

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Damon Derrick, General Counsel
Access to University Records

Original Implementation: 1975
Last Revision: July 28, 2015 July 24, 2018

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

The Office of the General Counsel has been designated by the Board of Regents as the public information coordinator responsible for processing public information requests. Requests for public information by outside entities and vendors are to be immediately referred to the Office of the General Counsel. The requests must be in writing and may be submitted by mail, fax, e-mail or in person. The requestor must include enough description and detail about the information requested to enable the university to accurately identify and locate the information requested. The requestor must also cooperate with the university's reasonable efforts to clarify the type or amount of information requested. The university may charge for copies of public information in accordance with the fee schedule set out in 1 Tex. Admin. Code § 70.3.

Requests by student organizations that are for organizational use only should be submitted to the Office of Student Affairs Programs. Requests for alumni information should be submitted to the Alumni Association.

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

Cross Reference: Public Information Act, Tex. Gov't Code Ch. 552; 1 Tex. Admin. Code § 70.3

Responsible for Implementation: General Counsel

Contact for Revision: General Counsel

Forms: None

Board Committee Assignment: Academic and Student Affairs
Policy Name: Dead Week

Policy Number: 7.8

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

Date of last revision, if applicable: 7/28/2015

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

Purpose of Policy (what does it do): Outlines the observance of Dead Week

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

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: Reviewed with no changes recommended.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Dr. Adam Peck, Assistant VP for University Affairs/Dean of Student Affairs
Dr. Steve Westbrook, Vice President for University Affairs
Damon Derrick, General Counsel
Dead Week

**Original Implementation:** June 16, 1982
**Last Revision:** July 28, 2015 / July 24, 2018

Dead week is an established tradition in higher education to allow students the necessary time to prepare for final examinations. During the last five class days of each long semester, written examinations (except to cover daily assignments) and themes or assignments beyond normal daily requirements are not to be assigned without written notification to the students prior to the twelfth class day.

The Division of University Affairs and university sponsored student organizations shall observe dead week by refraining from sponsoring events during this time. All student organizations shall be unable to reserve on-campus facilities for events or for the purpose of advertising events during dead week. Student Organizations may not advertise on or off-campus events through any campus medium during this time period.

**Cross Reference:** Faculty Handbook

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

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

**Forms:** None

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

Policy Name: Discipline and Discharge

Policy Number: 11.4

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

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

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

Purpose of Policy (what does it do): The policy outlines the requirements for disciplining and discharging staff employees

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

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

☐ Internal Review  ☒ Other, please explain: Update required to reflect current practices and industry standards

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: Language was added to prohibit unprofessional conduct that is persistent, destructive and intimidating. Also change title of employee counseling record to employee counseling/discipline record to document multiple disciplinary actions using one form.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Loretta Doty, Director of Human Resources
Danny Gallant, Vice President for Finance and Administration
Damon Derrick, General Counsel
Discipline and Discharge

Original Implementation: December 6, 1983
Last Revision: July 25, 2017 July 24, 2018

Purpose

This policy establishes the requirements for disciplining and discharging staff employees.

Definitions

This policy shall apply to all regular non-academic employees including both exempt and non-exempt staff. The non-renewal of non-academic employees with contracts, temporary employees, at-will employees, or dismissal during the probationary period are not covered by this policy. The probationary period of an employee is one hundred eighty (180) calendar days.

Supervisory efforts should be concentrated on preventing serious personnel concerns rather than on disciplining employees for misconduct. However, supervisors have the right to discipline or summarily discharge an employee for cause. It is essential that each concern be investigated so that the facts of the situation are known before the discipline measures have been determined. An employee being disciplined should be told what they have done wrong and should be clearly instructed on what is expected of them. Any discharge must first be reviewed by the director of human resources.

Except in cases of discharge, the employee should be given a reasonable period of time to improve their performance or correct their actions or attitude. An employee may be discharged when reasonably corrective or rehabilitative methods have failed or when the serious nature of a violation or the accumulation of violations warrants separation.

Definitions of Minor Rule Violations

Minor Rule Violations Rule violations of a minor nature may have little or no effect on the continuity, efficiency, and safety of university work, but will not be tolerated. The following are examples of minor rule violations, which may result in either oral or written warnings for entry into an employee's record. Continual violations may result in stronger disciplinary action up to and including discharge. This list is not all-inclusive. Minor rule violations include but are not limited to:

1. Unauthorized, unexplained, or inexcusable absence or tardiness.
2. Failure to notify supervisor of absence at the earliest practical time.
3. Failure to observe assigned work schedules (starting time, quitting time, rest and meal periods).
4. Soliciting or collecting contributions for any purpose, or selling or offering for sale any
goods or service, on university premises in violation of university policy.
5. Un satisfactory work performance.
6. Loa f ing or other abuse of time during assigned working hours.
7. Interfering with any employee's work performance or duties by talking or by other
distractions.
8. Circulating or distributing written or printed matter on university premises in violation of
the university policy on petitions and handbills.
9. Leaving regularly assigned work location without notifying immediate supervisor.
10. Performing unauthorized personal work on university time.
11. Defacing bulletin boards or notices posted thereon.
13. Failure to use the time clock system as instructed.
14. Discourteous treatment of the public or of other employees.
15. Improper political activity of a minor nature.
16. Minor violation of an internal department work rule or university policy or procedure.
17. Engaging in excessive visiting, personal conversations, or use of the telephone for personal
use.
18. Failure to follow any reasonable instructions issued by supervisor related to performing job
tasks and/or job duties.
19. Abusive or unruly conduct of a minor nature.

Definitions of Major Rule Violations

Major Rule Violations are any act or omissions in violation of university policies or rules to such a degree that further employment of the offending individual may not be desirable for the university. The following are examples of some offenses which subject an employee to a written warning, suspension, or discharge. This list is not all inclusive. Major rule violations include but are not limited to:

1. Any act which might endanger the safety or lives of others.
2. Refusal to properly perform work assigned by a supervisor.
3. Violation of university safety rules.
4. Falsifying any university records.
5. Clocking in or out for another employee or allowing one’s time to be entered by another
employee.
6. Leaving university premises during working hours without permission from the supervisor.
7. Abusing, destroying, damaging, or defacing university property, tools, equipment, or the
property of others on university premises.
8. Gambling on university premises.
9.延cing or restricting work, or inciting others to delay or restrict work.
10. Fighting on university premises.
11. Carrying firearms or other dangerous weapons on university premises in violation of law or
university policy.
12. Failure to return to work on expiration of vacation or leave of absence, or when called back after a layoff.
14. Theft, misappropriation or unauthorized use of university funds or property, or other dishonest actions.
15. Continued unsatisfactory work performance.
16. Unauthorized, unexplained, or inexcusable leave for more than three or more days.
17. Excessive absences or tardiness.
18. Physical, mental or emotional inability to perform the job satisfactorily.
19. Major violation of an internal department work rule or university policy or procedure.
20. Insubordination.
21. Abusive and/or unruity conduct.
21.22. Unprofessional conduct; that is, behavior that a reasonable person in a professional office setting would find inappropriate, rude, disorderly, or offensive, and that is persistent, destructive and/or intimidating.
22.23. Indecent or obscene conduct.
23.24. Conviction of a felony or of a misdemeanor involving moral turpitude by a trial court.
24.25. Flagrant or repeated minor rule violations.
25.26. Sexual misconduct or sexual harassment of any person by an employee.
26.27. Unlawful discrimination.
27.28. Bringing or consuming any liquor, marijuana, or narcotics on university premises (this rule applies to any habit-forming or disabling substance not prescribed by a physician).
28.29. Reporting for duty under the influence of liquor, marijuana, or narcotics (applies to any habit forming or disabling substance not prescribed by a physician).
29.30. Accepting any gifts or favors, which influence or tend to influence the performance of duties or the granting of service or favors to other university personnel, applicants, clients, or other persons.
30.31. Refusal to attend state and university mandated trainings within the appropriate timeframe including but not limited to EEO training and Performance Management Plan training.

General

This policy shall apply to all regular non-academic employees including both exempt and non-exempt staff. The non-renewal of non-academic employees with contracts, temporary employees, at-will employees, or dismissal during the probationary period are not covered by this policy. The probationary period of an employee is one hundred eighty (180) calendar days.

Supervisory efforts should be concentrated on preventing serious personnel concerns rather than on disciplining employees for misconduct. However, supervisors have the right to discipline or summarily discharge an employee for cause. It is essential that each concern be investigated so
that the facts of the situation are known before the discipline measures have been determined. An employee being disciplined should be told what they have done wrong and should be clearly instructed on what is expected of them. Any discharge must first be reviewed by the director of human resources.

Except in cases of discharge, the employee should be given a reasonable period of time to improve their performance or correct their actions or attitude. An employee may be discharged when reasonably corrective or rehabilitative methods have failed or when the serious nature of a violation or the accumulation of violations warrants separation.

Corrective Disciplinary Actions

For repeated but relatively minor incidents of substandard performance, misconduct, or rule violations, discipline should be progressive. The normal sequence of action is: (1) Oral Warning; (2) Written Reprimand; (3) Disciplinary probation (4) Suspension; (5) Demotion; (6) Discharge. Depending on the severity -of the case, the action may begin at any of these steps. Any action involving suspension, demotion, or discharge must have prior review from the director of human resources.

Any corrective disciplinary action should be recorded on the Employee Counseling/Discipline Record form (available in Human Resources). The corrective action should include a section which documents specific, job related, and measurable actions identified to increase job knowledge, improve skills, or correct performance difficulties. Timetables shall be established for follow-ups and improvement or non-improvement and will be documented on all Employee Counseling/Discipline Record forms.

Oral Warning: Normally, initial disciplinary action should be in the form of an oral discussion and warning, especially for minor rule violations. If it appears that an employee has failed to perform their work or conduct themselves according to job requirements, the supervisor should first talk to the employee about the matter and informally inquire further into the situation. If facts indicate that the employee may have been at fault, the supervisor should discuss the matter with him or her. The supervisor may call on another person (preferably another supervisor) to be present as a witness. The employee should clearly be instructed of the gravity of the action and should be told that the warning is disciplinary in nature. Supervisors should maintain a complete and accurate written notation of the warning on an Employee Counseling/Discipline Record form.

Written Reprimand: Reprimand involves both a formal interview with the employee and an official memorandum emphasizing the negative effect of the employee's conduct or work performance on their record and opportunities for advancement. If the immediate supervisor does not have the authority to discharge the employee, then the interview should be conducted by the department official who does have discharge authority. A written reprimand should include: the names of everyone involved, dates, a description of the incident or unsatisfactory performance,
11.4 Discipline and Discharge

Explain the process for handling discipline and discharge, including the use of the Employee Counseling/ Discipline Record for this purpose.

Reference should also be made to include the dates and results of prior oral warning(s), or other written reprimand(s). It should also bear the employee's comments, if any, and the employee's signature. The employee should be informed that their signature indicates they have received a copy of the reprimand, but not necessarily that they agree with its contents. If the employee refuses to sign the reprimand, a witness, preferably another supervisor, should verify that the employee has read the reprimand and refused to sign an acknowledgement. A copy of the reprimand should be sent to the director of human resources to be filed in the employee's permanent file.

Disciplinary Probation: a disciplinary action that places an employee on a probation period, up to six months, in 30-day increments, to improve inadequate performance and/or conduct before additional disciplinary action is taken. Disciplinary probation may also be used in conjunction with other disciplinary actions. During the probationary period, the employee will receive a specific performance improvement plan and/or instructions to improve his or her behavior and/or performance. To place an employee on disciplinary probation, the supervisor should:

- present the employee with a completed Employee Counseling/ Discipline Record indicating disciplinary probation, the period of disciplinary probation, the reasons for the disciplinary probation and attach a performance improvement plan and/or instructions to improve their behavior and/or performance, and;
- forward a copy of the Employee Counseling/ Discipline Record to Human Resources for inclusion in the employee’s permanent file.

Suspension: Suspension is a disciplinary action or an interruption (with or without pay) of the active employment of an employee pending an investigation and decision by the director of human resources, with advice and counsel from the general counsel, as appropriate. Suspension for a period of longer than three (3) days must be approved by the appropriate vice president. To suspend an employee from the payroll, the supervisor should:

- present the employee with a completed Employee Counseling/ Discipline Record indicating suspension, the period of suspension, and the reasons for the suspension;
- forward a copy of the Employee Counseling/ Discipline Record to Human Resources for inclusion in the employee’s permanent file. The department will then complete a Leave Without Pay form, removing the employee form the payroll if the suspension is for any period of time that the employee is to be without pay.

The supervisory official will conduct a conference with the employee at the beginning of the shift on the day the employee is to return to work. A discussion should occur with the employee...
recapping the reason for suspension, what is expected of the employee and the next step to be taken if improvement does not occur.

Demotion: The supervisory official with the authority to discharge an employee also has the authority to demote an employee. An employee who cannot or will not carry out efficiently and effectively the duties of the job for which they are hired or promoted, may be demoted to a job more commensurate with their abilities, skills, and experience or job performance. The immediate supervisor recommending demotion will first review the demotion with the director of human resources. The director of human resources will ensure that the employee has received proper counseling and an adequate trial period for improvement of performance prior to the approval of any recommendation for demotion. Demotion should be considered a last alternative in lieu of termination and may only be considered when a lower job assignment is available in the department in which the employee works.

Discharge: In cases other than serious offenses, discharge from employment should be used as a last resort. The supervisor who has authority to employ a person also has the authority to discharge a person. Prior to the action, the discharging supervisor must review the situation with his immediate superior, the director of human resources, and, in unusual circumstances, the general counsel. This review will assure that the case for dismissal has been objectively investigated and is both justified and properly documented. The appropriate vice president must approve each discharge. If the discharge is in order, an employee should be presented with a completed Employee Counseling/Discharge Record indicating discharge, the reasons for the discharge, and the date of the discharge. Since discharge requires prior consultation and approval, it should not be done "on-the-spot". However, if the supervisor believes it is improper to leave the employee on duty until such approval can be obtained, the supervisor should, with review from the director of human resources, immediately place the employee on suspension for a period not to exceed three (3) days. This action also allows time for any investigation which may be necessary.

Other Actions: In extremely serious cases involving unruly behavior, violence or imminent threat to personal safety or property, the supervisor and/or University Police Department may determine the need for immediate arrest or removal from University property of an employee. This action should be considered an immediate suspension and may warrant proceeding with the discharge process. Also, an interim suspension with pay may be used as a non-disciplinary action for situations that warrant investigation while the employee does not return to duty. The director of human resources must approve an interim suspension with pay.

Alternative Disciplinary Actions: Other forms of disciplinary action may be appropriate in some cases. These may include making up lost time, docking, withholding salary increases, transfer to more suitable work, or compensating the university for damage. With the exception of making up lost time, these alternative disciplinary actions require the prior review of the director of human resources.
Involuntary Terminations Other Than Discharge: It is not the intent of this policy to prohibit, or in any way restrict, the university and its administrative officials from the right to terminate any employee for any non-disciplinary reason if it is in the best interest of the university to do so. An employee so terminated shall not have recourse through this policy or the Grievance and Appeals procedure. Examples of termination for non-disciplinary reasons include, but are not limited to, terminations due to lack of work or funds (reduction in force), the redesigning of jobs, the termination of grant funding which eliminates positions, termination of a temporary position, and changes in the organizational structure in compliance with university policies and rules, i.e., retirement, nepotism, etc.

Employees who are terminated for non-disciplinary reasons may appeal through the supervisory chain up to the vice president for the area involved only on grounds of alleged constitutional violations or other legal rights which may have been abridged.


Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Director of Human Resources

Forms: Employee Counseling Form, Employee counseling/discipline form (available in Human Resources); Notice of Suspension (available in Human Resources); Notice of Discharge (available in Human Resources); Leave Without Pay Form (available on-line)

Board Committee Assignment: Academic and Student Affairs
Policy Name: Export Control

Policy Number: 2.15

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

Date of last revision, if applicable:

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

Purpose of Policy (what does it do): This policy generally introduces export control regulations and lays the foundation for the university's export control compliance program.

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

- [ ] Scheduled Review
- [ ] Change in law
- [ ] Response to audit finding
- [ ] Internal Review
- [x] Other, please explain: Policy required to comply with law

Please complete the appropriate section:

Specific rationale for new policy: Export control refers to federal laws and regulations governing the export of certain information and technology to foreign entities and foreign nationals, whether abroad or in the U.S. This policy was developed by a sub-committee of the Compliance Coordinating Committee to look into university compliance with these export control regulations. Failure to abide by export control regulations carries criminal and civil noncompliance penalties and sanctions the individuals and the university.

Specific rationale for each substantive revision:

Specific rationale for deletion of policy:

Additional Comments:
Reviewers:

Export Control Subcommittee
Compliance Coordinating Committee
Steve Bullard, Provost and Vice President for Academic Affairs
Damon Derrick, General Counsel
Export Control (NEW POLICY)

Original Implementation: July 24, 2018
Last Revision: None

Federal regulations govern how certain information, technologies, and commodities can be transmitted overseas or to a foreign national on U.S. soil. The scope of the regulations is broad: they cover exports in virtually all fields of science, engineering, and technology and apply to research activities regardless of the source of funding. Failure to comply with these laws can have serious consequences, both for the university and the individual researcher. The potential penalties include fines and imprisonment. These laws are collectively referred to as export control laws.

Stephen F. Austin State University (SFA) is committed to compliance with federal export control laws and regulations, including those implemented by the U.S. Department of Commerce through its Export Administration Regulations (EAR), the U.S. Department of State through its International Traffic in Arms Regulations (ITAR), as well as embargo regulations imposed by the U.S. Treasury Department through its Office of Foreign Assets Control (OFAC).

SFA encourages and supports open research and the free exchange of ideas. Although most university activities and research are exempt from export control laws, SFA engages in activities, research, and the development of new technologies that are subject to these export restrictions. SFA has established the procedures necessary to ensure the university and its employees remain in full compliance.

The Office of Research and Graduate Studies is charged with compliance oversight of the U.S. export control requirements for the university. Other university departments, including Human Resources, Controller, Environmental Health, Safety and Risk Management, Information Technology Services, Procurement and Property Services, and International Programs have administrative oversight of compliance activities in their respective areas. The compliance coordinating committee reviews export control compliance activities as it may affect the broader university community.

Individuals acting on behalf of the university, including faculty, staff, and students, are responsible for the proper handling, transfer, access, storage, control, and dissemination of export controlled hardware, software, information, technology, and technical data to destinations and persons outside of the United States and to foreign nationals at the university engaging in instruction, conducting research, or providing service activities.

The civil and criminal penalties associated with violating export control regulations can be severe, ranging from administrative sanctions including loss of research funding, to monetary penalties, and imprisonment. Anyone found to have engaged in conduct contrary to this policy is subject to disciplinary action by the university up to and including dismissal or expulsion and civil or criminal prosecution.


Responsible for Implementation: Provost and Vice President for Academic Affairs
**Contact for Revision:** Compliance Coordinator, Office of Research and Graduate Studies

**Forms:** See respective departments

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

Policy Name: Information Security Incident Response and Reporting

Policy Number: 14.14

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

Date of last revision, if applicable: 

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

Purpose of Policy (what does it do): This policy governs the actions required for reporting or responding to information security incidents involving Stephen F. Austin State University (SFASU) information and/or information technology resources to ensure effective and consistent reporting and handling of such events.

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

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

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: The new policy outlines the roles and responsibilities for determining whether an information security incident has occurred and outlines how a response to an information security incident will be handled. The policy defines teams to respond to an information security incident as well as outlining responsibilities for determining if an information security incident has occurred, information security incident containment and information security notification responsibilities.

Specific rationale for each substantive revision:

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:
Anthony Espinoza, Chief Information Officer
Dr. Steve Westbrook, Vice President for University Affairs
Damon Derrick, General Counsel
Information Security Incident Response and Reporting (NEW POLICY)

Original Implementation: July 24, 2018
Last Revision: None

This policy governs the actions required for reporting or responding to information security incidents involving Stephen F. Austin State University (SFA) information and/or information technology resources to ensure effective and consistent reporting and handling of such events.

SCOPE
This policy applies to all who are granted access to SFA information resources, including, but not limited to, faculty, staff, students, alumni, vendors, contractors and visitors.

DEFINITIONS
Chief Information Security Officer (CISO) - Staff member responsible for providing and administering the overall information security program for the university.

Data Custodian – An SFA employee who is responsible for day-to-day maintenance of SFA Information Resources. In some instances this may be assigned to a third-party vendor.

Data Owner – The manager or agent responsible for the business function supported by the information resource or the individual upon whom the responsibility rests for carrying out the program using the information resource.

Incident Response Team (IRT) – The group of individuals who determine if a security incident is reportable to state authorities. The members include the chief information officer (CIO), chief information security officer (CISO), general counsel, and the chief audit executive. Other individual(s) may be included as the IRT deems necessary. A team member may assign a designee to serve on the IRT.

Information Resources - The procedures, equipment, facilities, software, and data that are designed, built, operated, and maintained to create, collect, record, process, store, retrieve, display, and transmit information. This may include, but not limited to, any and all computer printouts, online display devices, mass storage media, and all computer-related activities involving any device capable of receiving email, browsing websites, or otherwise capable of receiving, storing, managing, or transmitting data including, but not limited to, mainframes, servers, personal computers, notebook computers, hand-held computers, mobile devices, pagers, distributed processing systems, network attached and computer controlled medical and laboratory equipment (e.g., embedded technology), telecommunication resources, network environments, telephones, fax machines, printers and hosted services.

Information Security Administrator (ISA) - A staff member who, in close cooperation with the information security office, provides assistance with the implementation and administration of information security initiatives and data owner security needs.
Information Security Incident – An event which results in unauthorized access, loss, disclosure, modification, disruption or destruction of information resources, whether accidental or deliberate.

Response Planning Team (RPT) - The group that plans and implements notification of affected individuals when an information security incident occurs. Members include the CIO, CISO, chief audit executive, general counsel, and other individual(s) the RPT deems necessary. A team member may assign a designee to serve on the RPT.

RESPONSIBILITIES

Data Owner
- Participates in the IRT

Chief Audit Executive
- Participates in the IRT
- Participates in the RPT

Executive Director, University Marketing and Communications
- Participates in the RPT

Chief Information Officer
- Participates in the IRT
- Participates in the RPT

Chief Information Security Officer
- Participates in the IRT
- Participates in the RPT

General Counsel
- Participates in the IRT
- Participates in the RPT

Incident Response Team
- Determines when a reportable incident has occurred, and determines individuals involved and who should be notified.
- Determines course of action in response to an information security incident.
- A designee of the IRT will notify the appropriate division head of the information security incident.
Response Planning Team

- Plans and implements notifications when an incident has occurred, including what information is provided and how the incident will be communicated.
- Drafts pertinent communications to affected individuals.

PROCEDURES

Information Security Incident Monitoring

The CISO will aggregate information security incident data and share it on a regular basis with SFA's executive oversight compliance committee and CIO. If criminal activity is suspected, the CISO will notify the University Police Department. This data may include number and type(s) of security incidents and other information.

Reporting Security Incidents

Any member of the SFA community who suspects the occurrence of a security incident must report incidents through the following channels:

1. All suspected information security events must be reported directly to the CISO or information security office as quickly as possible by phone, e-mail, or in person. If the CISO or a representative of the information security office cannot be reached, the CIO must be contacted.
2. For suspected security incidents occurring in areas with departmental IT support, suspected incidents must also be reported to the departmental IT support staff or ISA.
3. Any attempt to interfere with, prevent, obstruct, retaliate for or dissuade the reporting of an information security incident, critical security concern, policy violation, or information resource vulnerability is strictly prohibited and may be cause for disciplinary action.

Information Security Incident Investigation and Identification

1. Upon notification of a potential information security incident, the CISO shall promptly assess and gather information to determine the impacted data, systems and business processes. When applicable, the data owner will be required to complete and submit a statement describing the stored or processed data and submit it to the CISO. The CISO may also require copies of files.
2. The IRT will determine whether an actual information security incident has occurred and provide input on whether the incident warrants notification to affected individuals.
3. If a security incident is confirmed, the following individuals shall be notified: unit or department head, and dean (if in an academic area).
Information Security Incident Containment

1. In some cases, action will be necessary to limit the magnitude and scope of the information security incident.
2. Should any action be necessary which has a likelihood of having a substantial impact on business processes, the unit or department head or data owner, CIO and data custodians will be notified in advance.
3. Reasonable efforts will be made by Information Technology Services to minimize the impact.
4. In rare cases it may be necessary to take action without receiving input from individuals who manage the affected information resources.

Information Security Incident Responsive Actions

1. The affected unit is responsible for taking action to identify and either eliminate or mitigate the vulnerabilities resulting in the security incident.
2. The CISO will provide recommendations to the affected unit and coordinate any remaining efforts needed to eliminate or mitigate the vulnerabilities.

Information Security Incident Notification

1. The CISO will notify state and federal entities as required by law.
2. If a decision has been made to notify individuals affected by the information security incident, the RPT will develop and implement a data breach notification process.
3. Individuals will be notified as expediently as possible without unreasonable delay. Note that the creation and dissemination of the communications may be assigned outside of the RPT.
4. Any media inquiries regarding the information security incident are to be directed to the executive director, University Marketing and Communications.

Information Security Incident Follow-up

1. The CISO will develop a security incident report summarizing the information security incident and outlining recommended actions.
2. The security incident report will be amended to include the responsible unit head's action plan and action plan progress and will be shared with the RPT.

COMPLIANCE

All users of SFA information technology resources are required to comply with this policy. SFA reserves the right to deny, limit, restrict, or extend privileges and access to its information technology accounts and systems.


Responsible for Implementation: Vice President for University Affairs
Contact for Revision: Chief Information Security Officer

Forms: None

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

Policy Name: Nepotism

Policy Number: 11.16

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

Date of last revision, if applicable: 7/28/2015

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

Purpose of Policy (what does it do): The policy sets forth the restriction of relatives hiring, appointing or confirming relatives by blood or marriage.

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

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: Minor organizational and wording changes.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Loretta Doty, Director of Human Resources
Danny Gallant, Vice President for Finance and Administration
Damon Derrick, General Counsel
Nepotism

**Original Implementation:** Unpublished
**Last Revision:** July 28, 2015 July 24, 2018

**Purpose**

*This policy explains nepotism and the related employment requirements for employees of Stephen F. Austin State University.*

**Definitions**

*Nepotism* involves showing favor to relatives when hiring or promoting or making decisions about salary or supervision. For this policy, the term *relative* shall mean those individuals within the second degree of affinity (marriage) or third degree of consanguinity (blood), defined in Appendix A.

An *adopted child* is treated as the natural child of the adoptive parents.

**General**

These rules concerning nepotism apply to all employees of the university including students, whether employed full or part-time. Employees are required to annually disclose, in a manner determined by the university, the existence of any relationship that may be or cause a violation of this policy.

A university employee may not hire, appoint, or confirm the appointment of a relative for a university position of employment or take any action with regard to the relative’s promotion, salary or supervision. If an appointment, reappointment, reclassification, promotion or other action places a person under the supervision of a relative, all subsequent actions with regard to the terms and conditions of employment, including the annual performance evaluation, is the responsibility of the next highest administrative supervisor. This shall further apply in situations where two employees marry and one spouse is the administrative supervisor of the other.

No relative of a member of the Board of Regents may be employed for any position with the university. However, an exception to this rule will be made in cases where the relative has been continuously employed in the position for a period of thirty (30) days prior to the appointment of the related regent. When a relative is allowed to continue in a position because of the operation of this exception, the regent who is related to such person in the prohibited degree shall not participate in the deliberation or voting upon the appointment, reappointment, employment, confirmation, reemployment, change in status, compensation, or dismissal of the relative, if such action applies only to the relative and is not taken with respect to a bona fide class or category of employees.
An individual who violates this policy may be subject to criminal penalties and/or dismissal from employment.

**Cross Reference:** Tex. Gov’t Code Ch. 573; Non-Academic Employee Handbook

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

**Contact for Revision:** Director of Human Resources and General Counsel

**Forms:** None

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

Consanguinity Kinship Chart
(Relationship by Blood)

Affinity Kinship Chart
(Relationship by Marriage)
POLICY SUMMARY FORM

Policy Name: Radioactive or Radiation-Producing Materials or Equipment

Policy Number: 13.17

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

Date of last revision, if applicable: 7/28/2015

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

Purpose of Policy (what does it do): Establishes compliance with federal and state regulations related to radioactive materials or radiation producing equipment.

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

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

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: Clarification edits.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Jeremy Higgins, Director of Environmental Health, Safety and Risk Management
Danny Gallant, Vice President for Finance and Administration
Damon Derrick, General Counsel
Radioactive or Radiation-Producing Materials or Equipment

Original Implementation: September 1, 1974
Last Revision: July 28, 2015

Purpose

The purpose of this policy is to ensure that all university activities, operations, and procedures involving the use of radioactive materials or radiation--producing equipment are performed in such a way as to protect the users, faculty, staff, students, and the general public from exposure. It also identifies the SFA Radiation Safety Manual as the authoritative resource for procedures ensuring compliance with this policy.

Definitions

Radiation-producing This equipment includes, but is not limited to: diffraction x-ray, fluorescence, bone densitometers, industrial x-ray, atomic absorption, and lasers.

General Policy Statements

The radiation safety program at Stephen F. Austin State University is regulated by the Texas Department of State Health Services and requires all university employees and students who receive, possess, use, transfer, or acquire any radioactive material or radiation--producing equipment to comply with the regulations detailed in the Texas Administrative Code § 289 and the Texas Health & Safety Code Ch. 401 (Texas Radiation Control Act).

SFA employees and students must also comply with the procedures described in the SFA Radiation Safety Manual, which contains the general procedures adopted by the university for the safe use of radioactive materials and radiation--producing equipment in teaching and research, and can be found on the Department of Environmental Health, Safety, and Risk Management (EHSRM) website.

Authorization for the use of any licensed or registered radiation source or equipment is conditional upon complete compliance with federal and state regulations, license conditions, training requirements, and with the policies and procedures promulgated by the EHSRM department. Authorized radiation users and their locations must be designated on the radiation license and registrations issued by the Texas Department of State Health Services.

Responsibilities

The Department of Environmental Health, Safety, and Risk Management is responsible for the radiation safety program at SFA, and the radiation safety officer (RSO) is responsible for the daily implementation of the radiation safety program in accordance with license/registration conditions and regulatory requirements. Duties of the RSO include:
oversee the purchase, receipt, storage, use, and disposal of radioactive or radiation-producing materials or equipment;

- ensure the most current legal requirements are identified and evaluated for compliance;

- establish, coordinate, and adhere to the radiation safety procedures outlined in the university’s radiation safety manual, to comply with regulatory requirements;

- inspect university laboratories and work areas where radioactive materials or radiation-producing equipment are used for regulatory compliance and worker protection, or in response to a notice of a possible violation (in carrying out this duty, the RSO or designated representative shall have the authority to enter any university building, structure, room, office, or laboratory without any need to give prior notice to department supervisors and staff);

- serve as the official university contact for federal and state regulatory agencies including but not limited to United States Nuclear Regulatory Commission (NRC) and Texas Department of State Health Services (TDSHS) regarding radiation safety compliance and to communicate compliance requirements to university officials.

a) These include, but are not limited to: United States Nuclear Regulatory Commission (NRC) and Texas Department of State Health Services (TDSHS).

University employees and students must:

- comply with all license and registration requirements, regulations, programs, and procedures specified by the RSO and the EHSRM department;

- attend all required radiation safety training courses and use all required protective equipment, engineering controls, and safety precautions described in the radiation safety manual;

- handle all radioactive sources, radiation-producing equipment, and radioactive waste in accordance with the radiation safety manual and applicable state regulations;

- report all spills to the authorized user who is responsible for containment and clean-up actions in responding to spills and emergencies;

- The RSO must be notified of all incidents involving radioactive materials and radiation-producing equipment and report all incidents to the RSO or to the director of EHSRM.

University departments are responsible for the payment of fees associated with state licenses, registrations, and the disposal of radioactive waste and/or equipment containing radiation sources.


Responsible for Implementation: Vice President for Finance and Administration
**Contact For Revision:** Radiation Safety Officer, Department of Environmental Health, Safety, and Risk Management

**Forms:** Statement of Training and Agreement with Policies and Procedures; Leak-Test and Inventory Record. All forms may be obtained from the radiation safety officer.

**Board Committee Assignment:** Academic and Student Affairs
Policy Name: Salary Supplements, Stipends and Additional Compensation

Policy Number: 12.16

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

Date of last revision, if applicable: 4/14/2015

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

Purpose of Policy (what does it do): The policy outlines the requirements for receiving a salary supplement, stipend and additional compensation above and beyond the institutional base salary.

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

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: Added language that restricts a supervisor from receiving additional compensation for a position that reports directly to them. Supervisor has the discretion of when and how long it takes to fill a position. Receiving additional compensation for a vacancy that reports to them could demotivate a supervisor from filling the position in a timely manner and effect university efficiencies.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Loretta Doty, Director of Human Resources
Danny Gallant, Vice President for Finance and Administration
Damon Derrick, General Counsel
Salary Supplements, Stipends and Additional Compensation

Original Implementation: April 13, 1988
Last Revision: April 14, 2015 July 24, 2018

Purpose

This policy establishes guidelines consistent with federal and state regulations for the total allowable compensation that can be paid to faculty and staff from university-controlled funds. This policy does not apply to overtime and compensatory time for non-exempt employees or to compensatory time for exempt employees. See Overtime and Compensatory Time (12.14).

Additional requirements for compensation from externally sponsored research and sponsored projects (grants) are detailed in Compensation from Grants, Contracts and Other Sponsored Agreements (12.1).

Definitions

Institutional Base Salary (IBS) means payment for the regularly assigned duties and responsibilities associated with an employee’s primary assignment.

Salary Supplement means a payment that temporarily augments the IBS. When the special assignment ends, the salary reverts to the IBS. A salary supplement increases the IBS for the purpose of calculating the maximum amount an employee may receive in additional compensation.

Stipend means a lump-sum payment in addition to the IBS that provides recognition or incentives to employees as established in university policy. A stipend does not increase the IBS for the purpose of calculating the maximum amount an employee may receive in additional compensation and is not counted as additional compensation.

Additional compensation means a payment in addition to the IBS for work that is clearly in addition to regularly assigned duties and requires the employee to perform work outside of normal working hours or during vacation or compensatory time, as appropriate. Additional compensation does not affect the IBS. Additional compensation is subject to a cap equal to 25 percent of the 9- or 12- month IBS. The cap applies to all sources of funds. Additional compensation is included in all benefit calculations except health insurance and longevity.

General

Each faculty and staff member (employee) is accountable to the university for 100 percent of the duties and responsibilities associated with the employee’s basic appointment. The primary obligation of university employees is the full and complete execution of all assigned duties and responsibilities.

State regulations prohibit the appointment of university employees for more than 100 percent
time for services considered to be regularly assigned duties associated with an individual's full-time responsibility.

Employees may be requested to provide consulting, extension, and/or other activities within the university that are considered to be in addition to their regularly assigned duties for which compensation in excess of institutional base salary (IBS) may be paid.

Compensation in excess of institutional base salary is a temporary adjustment of total compensation, which must be specified and approved in writing prior to work commencing by the appropriate administrative channels and is expressly conditioned on availability of funds.

Without exception, all payments to university employees will be made through payroll services. Salary supplement, stipend, and additional compensation payment requests must be submitted and paid before the close of the fiscal year in which the services were performed. Payments for additional compensation using grant funds must be requested and approved within the appropriate grant funding period.

The activities listed below are considered additional responsibilities for which an employee may receive extra compensation:

- special projects assigned by approved university administrators that are in addition to an employee's normal responsibilities;

- intra-university consulting or other special services conducted for a university department or area other than the employee's department;

- services beyond normal duties of the position held which cannot be reimbursed by compensatory (comp) time, including incidental activities on grants [see Compensation from Grants, Contracts and Other Sponsored Agreements (12.1)];

- increases in teaching load (overload) approved by the provost/vice president for academic affairs; and

- duties performed by an employee not under contract at the time the duties must be performed (except for start dates that are outside of the academic year), or those that are not considered in the base salary.

The base salary period for a full-time faculty appointment is the academic year (normally September 1 through the following May 31). Summer months and periods of time during the academic year when the university is not in session, e.g., weekends, holidays, semester breaks, are not included in the base salary period.

On occasion, regular university activities for which faculty are responsible are scheduled outside the base period and are assumed to be included in the institutional base pay, and therefore are not eligible for extra compensation (examples include Showcase Saturday and Freshman Orientation.)

Additionally, the university may employ faculty members during the summer months for specific
teaching, research, or grant assignments for which they are paid a salary.

Any individual who is dually employed (rather than grant funded) with the university and with another state or federal agency must obtain prior written approval from the president and Board of Regents before entering into any activity for which compensation in excess of IBS is to be requested or paid. See Dual Employment (11.7).

There are three types of compensation in excess of IBS: salary supplements; stipends; and additional compensation.

"Salary supplement" means a payment that temporarily augments the base appointment salary. When the special assignment ends, the salary reverts to the base appointment salary. A salary supplement increases the base appointment salary for the purpose of calculating the maximum amount an employee may receive in additional compensation. See section 3, below.

Salary supplements paid for interim appointments and endowed positions are approved either directly by the Board of Regents or indirectly through board policy and must be reviewed and approved annually. Salary supplements for overload assignments do not require board approval. Salary supplements for performing the duties of a direct report are generally not allowed.

Supplements appear on the regular monthly payroll check and are included in all benefit calculations except health insurance and longevity.

Salary supplements are requested on the Electronic Personnel Action Form (EPAF) or the EPAF Origination Request Form and cannot be paid from grant funds. Examples of salary supplements may include compensation for: interim appointments; faculty course overloads; and endowed positions.

Salary supplements cannot be paid from grant funds.

Examples of salary supplements may include compensation for: (1) interim appointments; (2) faculty course overloads [Overload Assignments (7.20)]; and, 3) endowed positions.

Stipends:

"Stipend" means a lump-sum payment in addition to the base appointment salary that provides recognition or incentives to employees as established in university policy. A stipend does not increase the base appointment salary for the purpose of calculating the maximum amount an employee may receive in additional compensation (see section 3, below) and is not counted as additional compensation.

Payment of stipends may be approved either by any of the following methods: directly by the Board of Regents or indirectly through board policy or by the appropriate vice president or president.

Stipends are requested on the Stipend Authorization form and are paid on the monthly payroll but payroll are not included in benefits calculations.
Stipends can be paid from designated, auxiliary, and gift accounts.

Stipends cannot be paid from state appropriated funds or grant funds. Examples of stipends may include: the Regents Professors Award [Regents Professor (7.24)]; the President's Staff Award; teaching excellence awards; compensation for online courses not paid for by sponsored agreements [Distance Education Faculty Competencies and Compensation (7.9)]; payments for off-campus teaching assignments [Off-Campus Credit Courses (5.13)]; incentive payments; and musical or theatrical performances at university-sponsored events.

Additional Compensation:

"Additional compensation" means a payment in addition to the IBS for work that is clearly in addition to regularly assigned duties and that must be performed outside of normal working hours or during vacation or compensatory time, as appropriate. Additional compensation does not affect the IBS.

Additional compensation is subject to a cap equal to 25 percent of the 9- or 12-month base appointment salary. The cap applies to all sources of funds. (See subsection h. below.)

Additional compensation is included in all benefit calculations except health insurance and longevity.

Requests for additional compensation must be submitted in writing, must be submitted in advance, before work is started, on the Authorization for Additional Compensation Services form, and must be approved for payment after services are rendered on the Authorization for Additional Compensation Payment form. Consequences for late submission of forms may result in a delayed payment to the employee. Additionally, the appropriate vice president will be notified of the individual(s) failure to follow university policies and procedures.

Departments that want to have a non-exempt employee perform additional compensation work for them must complete the authorization request form and include a time report with the payment request form. A description of the extra work and documentation of the additional compensation shall be maintained by the department chair, division director or other primary administrator who initiated the request for additional compensation.

Department chairs, division directors, and all deans shall analyze carefully the total professional commitments, including outside consulting, of the employee requesting additional compensation. Additional compensation should be approved only if the employee's and the department's general functions will not be adversely affected.

If allowed by a sponsor, additional compensation may be paid from grant funds. The Authorization for Additional Compensation Services form must be routed with the ORS ORGS Additional Compensation Verification form to the Office of Research and Sponsored Programs, Graduate Studies for verification of sponsor approval [see Compensation from Grants, Contracts, and Other Sponsored Agreements (12.1)].
Examples of additional compensation may include: interdepartmental consulting or short-term, incidental activities on grants; casual, seasonal work; and teaching SFA 101. At no time can the rate of pay for additional compensation exceed the employee's normal rate of pay.

Additional compensation is subject to the maximum salary limits described below:

**Maximum Salary for 12-month Employees:**

Employees on 12-month fiscal year (FY) appointments may receive up to 25 percent of their current IBS in additional compensation (see example below).

12-month Employee Example: A 12-month employee with an annual base salary of $60,000 may earn additional compensation up to $15,000 for a maximum salary of $75,000 in a fiscal year.

\[
\text{Salary Limit} = \text{Annual Base Salary} \times 0.25 = \$60,000 \times 0.25 = \$15,000
\]

\[
\text{Maximum Salary} = \text{Current Salary} + \text{Additional Compensation} = \$60,000 + \$15,000 = \$75,000
\]

**Maximum Salary for 9-month Faculty Members:**

Faculty members on 9-month academic year (AY) appointments may receive up to 25 percent of their current IBS in additional compensation (plus summer salary, see (3) below).

9-month faculty example: A faculty member with a 9-month AY base salary of $45,000 may earn additional compensation during the nine-month appointment of up to $11,250, for a maximum nine-month salary of $56,250.

\[
\text{Salary Limit} = \frac{\text{Annual Base Salary}}{9} \times 3 = \frac{\$45,000}{9} \times 3 = \$15,000
\]

\[
\text{Maximum Salary} = \text{Current Salary} + \text{Additional Compensation} = \$45,000 + \$11,250 = \$56,250
\]

**Maximum Summer Salary for Faculty Members:**

Summer Teaching Assignments - The maximum summer salary for teaching assignments is summarized in university policy, Faculty Compensation (12.6). See also Summer Teaching Appointments (7.28).

Summer Faculty Example: A faculty member with a 9-month AY base salary of $45,000 that earns $15,000 in summer salary (equal to 3/9th) may earn additional compensation during the 3-month summer of up to $3,750, for a maximum salary of $18,750 in a summer, provided that the additional compensation is earned for work that is clearly in addition to regularly assigned duties and is performed outside of normal working hours or during vacation or compensatory time, as appropriate.

\[
\text{Salary Limit} = \frac{\text{Annual Base Salary}}{9} \times 3 = \frac{\$45,000}{9} \times 3 = \$15,000
\]

\[
\text{Maximum Summer Salary} = \$15,000 \times 0.25 = \$3,750
\]
$15,000 + $3,750 = $18,750 maximum summer compensation

The maximum summer salary paid from grants may be further limited based on the source of funds. See Compensation from Grants, Contracts and Other Sponsored Agreements (12.1).

Cross Reference: Summer Teaching Appointments (7.28); Off-campus Credit Courses (5.13); Overload Assignments (7.20); Regents Professor (7.24); Grants and Contracts Administration (8.3); Distance Education Faculty Competencies and Compensation (7.9); Compensation from Grants, Contracts and Other Sponsored Agreements (12.1); Dual Employment (11.7); Overtime and Compensatory Time (12.14); Fair Labor Standards (11.14); Faculty Compensation (12.6); Fair Labor Standards Act, 29 U.S.C. § 201 et. seq.; 2 CFR § 200.430; Uniform Grant Management Standards for the State of Texas; Texas Government Code §§ 605, 658.001-.007, 659

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Vice President for Finance and Administration (Director of Human Resources, Controller, Director of Research and Sponsored Programs)

Forms: Electronic Personnel Action Form (Available online through MySFA under myServices); EPAF Origination Request Form available on the Department of Human Resources website; Stipend Authorization; Authorization for Additional Compensation Services; Additional Compensation Verification form available on the ORSP/ORGS website; Authorization for Additional Compensation Payment

Board Committee Assignment: Academic and Student Affairs
POLICY SUMMARY FORM

Policy Name: Service Awards

Policy Number: 12.17

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

Date of last revision, if applicable: 7/28/2015

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

Purpose of Policy (what does it do): The policy outlines the process and responsibility of granting service awards to employees based upon years of service and outstanding performance.

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

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

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: Categorized policy purpose and definitions.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Loretta Doty, Director of Human Resources
Service Awards

Original Implementation: October 4, 1984
Last Revision: July 28, 2015 July 24, 2018

Purpose

This policy establishes guidelines for recognizing employees for service to the university.

Definitions

Service awards are pins and certificates of appreciation awarded to employees with ten, twenty, thirty, forty, or fifty years of service to the university.

The President’s Award is a special recognition of outstanding service by a staff employee that includes a plaque and cash award.

General

Human resources (for non-academic employees) and the Faculty Service Award Committee appointed by the provost/vice president for academic affairs (for faculty) coordinate annual service award programs to recognize employees for years of service to Stephen F. Austin State University. Service pins and certificates of appreciation are awarded to employees with ten, twenty, thirty, forty, or fifty years of service. Award recipients are identified on the basis of years of service as recorded in the individual's personnel records in human resources.

Department heads are notified of those employees who are eligible to receive awards. Questions concerning an individual's eligibility should be directed to human resources for staff and to the provost/vice president for academic affairs for faculty. Arrangements for the staff recognition ceremony are carried out by human resources. Arrangements for the faculty recognition ceremony are carried out by the Faculty Service Award Committee in conjunction with the office of the provost/vice president for academic affairs.

In conjunction with the staff service award program each year, two exempt and two non-exempt staff employees are selected from nominated staff employees to receive the President's Award in recognition for outstanding service to the university. This award includes a $500 cash award and a plaque that is presented at the annual staff award ceremony.

Cross Reference: None

Responsible for Implementation: President
Contact for Revision: Director of Human Resources

Forms: None

Board Committee Assignment: Academic and Student Affairs
Policy Name: Sexual Misconduct

Policy Number: 2.13

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

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

Unit(s) Responsible for Policy Implementation: President

Purpose of Policy (what does it do): Addresses prohibition of sexual misconduct and other sex based offenses related to Title IX and Violence Against Women Act regulations.

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

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: Most revisions related to clarifications within the policy, strengthen the commitment regarding prohibition of retaliation, and to align the policy with interim guidance provided in the September 2017 DCL and associated FAQ following the recension of the 2011 and 2014 DCL and FAQ address these requirements.

Specific rationale for deletion of policy:

Additional Comments:

In addition to clarifications noted above the grant Coordinator for the Office on Violence Against Women grant was added as a confidential support and resource in section 4.5.

Reviewers:

Cyndra Krogen-Morton, Title IX Compliance Specialist
Dr. Michael Walker, Assistant Dean of Student Affairs Support Services
Dr. Steve Westbrook, Vice President for University Affairs
Damon Derrick, General Counsel
Sexual Misconduct

Original Implementation: July 27, 2015
Last Revision: July 25, 2017
July 24, 2018

1. General Policy Statement

Stephen F. Austin State University (university) is committed to maintaining a learning and working environment that is free from sex discrimination. Sexual Misconduct is a form of sex discrimination and will not be tolerated. Individuals who engage in Sexual Misconduct will be subject to disciplinary action.

1.1 The university will take prompt disciplinary action against any individuals or organizations within its control who violate this policy. The university encourages any student, faculty, staff, or visitor to promptly report violations of this policy to an individual identified in Section 4.7.

2. Applicability

This policy applies to all university administrators, faculty, staff, students, and third parties within the university’s control, including visitors and applicants for employment. It applies to conduct regardless of where it occurs, including off university property, if it potentially affects the Complainant’s education or employment with the university. It also applies regardless of the gender, gender identity or sexual orientation of the Complainant or the Respondent. In addition, it applies whether the reported policy violation was made by or against a third party, and whether the reported policy violation was made verbally or in writing.

3. Definitions and Examples

Complainant – refers to the individual(s) who are alleged to have been impacted by a violation of this policy.

Respondent – refers to the individual(s) who is accused of violating this policy.

Reporting Party—refers to the individual(s) who submitted/made the report alleging a violation of this policy. The Reporting Party and Complainant may or may not be the same person, for example reports submitted by anyone designated as a Responsible Employee under this policy.

Consent – involves a voluntary, ongoing, mutual understanding among all participants that indicates a willingness through words or clear unambiguous actions that demonstrate a

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1 The definitions provided in the main body of the text are the definitions adopted by the university. When applicable, we have included the state law definition. In any criminal action brought by law enforcement, the state law definition will apply.
knowing, intentional agreement to engage in each instance of sexual activity. Knowledge of Consent is the responsibility of each person involved in every instance of sexual activity and Consent can be withdrawn at any time.

Examples of Ineffective or Absence of Consent

The following list provides examples of when Consent has not been obtained or is not effective. This list is not exhaustive:

Consent is not effective when any participant in the sexual activity is unsure if a knowing, intentional, voluntary agreement to engage in each act of sexual activity has been demonstrated.

Consent is not effective if one person knew or reasonably should have known that another person involved was incapacitated.

Consent to one act does not imply Consent to another; 

Past Consent does not imply future Consent.

Consent to engage in sexual activity with one person does not imply Consent to engage in sexual activity with another.

Any expression of an unwillingness to engage in any instance of sexual activity establishes a presumptive lack of Consent.

Consent is not effective if it results from: (a) the use of physical force, (b) a threat of physical force, (c) intimidation, (d) Coercion, (e) Incapacitation or (f) any other factor that would eliminate an individual’s ability to exercise their own free will to choose whether or not to have sexual activity.

A current or previous dating or sexual relationship, by itself, is not sufficient to constitute Consent. Even in the context of a relationship, there must be a voluntary, mutually understandable agreement that clearly demonstrates a willingness to engage in each instance of sexual activity.

The definition of Consent for the crime of Sexual Assault in Texas can be found in Section 22.011(b) of the Texas Penal Code.²

² Texas Penal Code, Section 22.011(b) states that a Sexual Assault is without Consent if: (1) the actor compels the other person to submit or participate by the use of physical force or violence; (2) the actor compels the other person to submit or participate by threatening to use force or violence against the other person, and the other person believes that the actor has the present ability to execute the threat; (3) the other person has not Consented and the actor knows the other person is unconscious or physically unable to resist; (4) the actor knows that as a result of mental disease or defect the other person is at the time of the Sexual Assault incapable either of appraising the nature of the act or of resisting it; (5) the other person has not Consented and the actor knows the other person
**Incapacitation** – A state of being that prevents an individual from having the capacity to give Consent. For example, Incapacitation could result from the use of drugs or alcohol, a person being asleep or unconscious, or because of an intellectual or other disability or medical condition.

*Alcohol and drugs can impair judgment and decision-making capacity, including the ability to rationally consider the consequences of one’s actions. The effects of alcohol and drug consumption often occur along a continuum. For example, inhibition to euphoria and memory impairment, and to disorientation and incapacitation. Incapacitation due to alcohol or drug use is a state beyond “mere” intoxication or even being drunk. Indicators of incapacitation may include inability to communicate, lack of control over physical movements, and/or lack of awareness of circumstances. An incapacitated person can also experience a blackout state during which they appear to give consent but do not have conscious awareness or the capacity to consent.*

**Intimidation** – Unlawfully placing another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the person to actual physical attack.

**Coercion** - the practice of compelling another party to act by use of intimidation or threats.

**Dating Violence**\(^3\) – includes abuse or violence, or a threat of abuse or violence, against a person with whom the actor has or has had a social relationship of a romantic or intimate nature. The existence of such a relationship shall be determined by the individual subjected to the violence with consideration of the following factors:

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3 Dating Violence is defined by the Texas Family Code, Section 71.0021 as:

- **(a)** an act, other than a defensive measure to protect oneself, by an actor that:
  - **(1)** is committed against a victim:
    - **(A)** with whom the actor has or has had a dating relationship; or
    - **(B)** because of the victim's marriage to or dating relationship with an individual with whom the actor is or has been in a dating relationship or marriage; and
  - **(2)** is intended to result in physical harm, bodily injury, assault, or Sexual Assault or that is a threat that reasonably places the victim in fear of imminent physical harm, bodily injury, assault, or Sexual Assault.
- **(b)** For purposes of this title, "dating relationship" means a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on consideration of:
  - **(1)** the length of the relationship;
  - **(2)** the nature of the relationship; and
  - **(3)** the frequency and type of interaction between the persons involved in the relationship.
- **(c)** A casual acquaintanceship or ordinary fraternization in a business or social context does not constitute a "dating relationship" under Subsection (b).

Texas Penal Code, Section 22.01 provides the criminal penalties associated with Dating Violence.
2.13 Sexual Misconduct

a) The length of the relationship;

b) The type of relationship; and

c) The frequency of interaction between the persons involved in the relationship.

Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. It does not include acts covered under the definition of domestic violence.

**Domestic (Family) Violence** – includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the individual subjected to the violence, by a person with whom the individual subjected to the violence shares a child in common, by a person who is cohabitating with or has cohabitated with the individual subjected to the violence as a spouse or intimate partner, by a person similarly situated to a spouse of the individual subjected to the violence under the domestic or family violence laws of the state of Texas, or by any other person against an adult or youth subjected to the violence who is protected from that person’s acts under the domestic or family violence laws of the state of Texas.

**Hostile Environment** – exists when sex-based harassment is sufficiently severe or pervasive to deny or limit the individual’s ability to participate in or benefit from the university’s programs or activities or an employee’s terms and conditions of employment. A Hostile Environment can be created by anyone involved in a university’s program or activity (e.g., administrators, faculty members, employees, students, and university visitors).

In determining whether sex-based harassment has created a Hostile Environment, the university considers the conduct in question from both a subjective and objective perspective. It will be necessary, but not adequate, that the conduct was unwelcome to the individual who was harassed. To conclude that conduct created or contributed to a Hostile Environment, the university must also find that a reasonable person in the individual’s position would have perceived the conduct as undesirable or offensive.

To ultimately determine whether a Hostile Environment exists for an individual or individuals, the university considers a variety of factors related to the severity, persistence, or pervasiveness of the sex-based harassment, including: (1) the type, frequency, and duration of the conduct; (2) the identity and relationships of the persons involved; (3) the number of individuals involved; (4) the location of the conduct and the context in which it occurred; and (5) the degree to which the conduct affected an individual’s education or employment.

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4 Family Violence is defined by the Texas Family Code Section 71.004 as:

1. An act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or Sexual Assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault, or Sexual Assault, but does not include defensive measures to protect oneself;

2. Abuse, as that term is defined by Sections 261.001(1)(C), (E), and (G), by a member of a family or household toward a child of the family or household; or

3. Dating Violence, as that term is defined by Section 71.0021.

Texas Penal Code Section 22.01 provides the criminal penalties associated with Domestic (Family) Violence.
The more severe the sex-based harassment, the less need there is to show a repetitive series of incidents to find a Hostile Environment. Indeed, a single instance of Sexual Assault may be sufficient to create a Hostile Environment. Likewise, a series of incidents may be sufficient even if the sex-based harassment is not particularly severe.

First Amendment Considerations: This policy does not impair the exercise of rights protected under the First Amendment.

**Other Inappropriate Sexual Conduct** – Includes unwelcome sexual advances, requests for sexual favors, or verbal or physical conduct of a sexual nature directed towards another individual that does not rise to the level of Sexual Harassment but is unprofessional, inappropriate for the workplace or classroom and is not protected speech. It also includes consensual sexual conduct that is unprofessional and inappropriate for the workplace or classroom.

**Preponderance of the Evidence** – The greater weight of the credible evidence. Preponderance of the Evidence is the standard for determining allegations of Sexual Misconduct under this policy. This standard is satisfied if the action is deemed more likely to have occurred than not.

**Responsible Employee** – A university employee who has the duty to report incidents of Sexual Misconduct to the Title IX coordinator or other appropriate designee, or an employee whom an individual could reasonably believe has this duty. Responsible Employees include all administrators, faculty, supervisory staff, residence life directors and advisors, and graduate teaching assistants. Any employee with confidentiality obligations related to their primary duties to the university as defined in Section 4.5 is excepted.

**Retaliation** – Any adverse action threatened or taken against someone because the individual has filed, supported, or provided information in connection with a report of Sexual Misconduct. Retaliation includes, but is not limited to: intimidation, threats, or harassment against any Complainant, Reporting Party, responding party, Respondent, witness, or third party involved with the report, investigation, or disposition of a policy violation. This includes any action made directly by an individual or indirectly through coordination with a third party, by -any means including but not limited to: verbal threats in person, by phone, email, text, social media; adverse impact on employment or grading decisions; interference with access to services or resources; or behavior or contact, including a pattern of behavior or contact, with a person that could influence the outcome of an investigation by preventing a fair, reliable, impartial, or proper investigation.

**Sexual Assault** – Refers to any sexual contact or intercourse with a person without the person’s Consent, including sexual contact or intercourse against the person’s will or in a

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5 Sexual Assault is defined by Texas Penal Code, Section 22.011 as intentionally or knowingly:
circumstance in which the person is incapable of Consenting to the contact or intercourse and includes but is not limited to any offense that meets the definition of Rape, Fondling, Incest, or statutory Rape:

a) *Rape:* the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the Consent of the person.

b) *Fondling:* The touching of the private body parts of another person for the purpose of sexual gratification without the Consent of the person, including instances where an individual is incapable of giving Consent because of the person’s age or because of a temporary or permanent mental incapacity.

c) *Incest:* Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

d) *Statutory Rape:* Sexual intercourse with a person who is under the statutory age of Consent.

**Sexual Exploitation** – Occurs when an individual takes non-consensual or abusive sexual advantage of another for his or her own benefit, or to benefit anyone other than the one being exploited. Examples of Sexual Exploitation include, but are not limited to, engaging in voyeurism; forwarding of pornographic or other sexually inappropriate material by email, text, or other channels to non-Consenting students/groups; and any activity that goes beyond the boundaries of Consent, such as recording of sexual activity, letting others watch consensual sex, or knowingly transmitting a sexually transmitted infection (STI) to another.

**Sexual Harassment** – Unwelcome conduct of a sexual nature including but not limited to unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, when submission to such conduct is made either explicitly or implicitly a term or condition of a person’s student status, employment, or participation in university activities; such conduct is sufficiently severe or pervasive that it interferes with an individual’s education, employment, or participation in university activities, or creates an objectively Hostile Environment; or such conduct is intentionally directed towards a specific individual and has the effect of unreasonably interfering with that individual’s education, employment, or participation in university activities, or creating an intimidating, hostile, or offensive environment. Sexual Harassment is a form of sex discrimination that includes:

a) Sexual Violence, Sexual Assault, Stalking, domestic violence and Dating Violence as defined herein.

b) Physical conduct, depending on the totality of the circumstances present, including frequency and severity, including but not limited to:

a) Causing the penetration of the anus or sexual organ of another person by any means, without that person’s Consent; or

b) Causing the penetration of the mouth of another person by the sexual organ of the actor, without that person’s Consent; or

c) Causing the sexual organ of another person, without that person’s Consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor.
Sexual Misconduct – A broad term encompassing a range of non-consensual sexual activity or unwelcome behavior of a sexual nature. The term includes Sexual Assault, Sexual Exploitation, sexual intimidation, Sexual Harassment, domestic violence, Dating Violence, Stalking, and Other Inappropriate Sexual Conduct. Sexual Misconduct can be committed by men or women, strangers or acquaintances, and can occur between or among people of the same or opposite sex.

Sexual Violence – Physical sexual acts perpetrated against a person’s will or where a person is incapable of giving Consent. The term includes, but is not limited to, Rape, Sexual Assault, sexual battery, sexual Coercion, sexual abuse, indecency with a child, and/or aggravated Sexual Assault.

Stalking6 – Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress. For the purposes of this definition--

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6 Stalking as defined by Texas Penal Code, Section 42.072 is when an individual on more than one occasion and pursuant to the same scheme or course of conduct that is directed specifically at another person, knowingly engages in conduct that:

a) is considered harassment, or that the actor knows or reasonably should know the other person will regard as threatening:

i. bodily injury or death for the other person;

ii. bodily injury or death for a member of the other person's family or household or for an individual with whom the other person has a dating relationship; or

iii. that an offense will be committed against the other person's property;

b) causes the other person, a member of the other person's family or household, or an individual with whom the other person has a dating relationship to be placed in fear of bodily injury or death or in fear that an offense will be committed against the other person's property, or to feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended; and

c) would cause a reasonable person to:

i. fear bodily injury or death for himself or herself;

ii. fear bodily injury or death for a member of the other person's family or household or for an individual with whom the other person has a dating relationship;

iii. fear that an offense will be committed against the person's property; or

iv. feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended.
a) **Course of conduct** means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.

b) **Reasonable person** means a reasonable person under similar circumstances and with similar identities to the person subjected to the Stalking behavior.

c) **Substantial emotional distress** means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

4. Reporting Violations

4.1 All Members of the University Community, Third Party, and Anonymously Reported Policy Violations.

All administrators, faculty, staff, students, and third parties are strongly encouraged to immediately report any incidents of Sexual Misconduct and Other Inappropriate Sexual Conduct to the Title IX coordinator or one of the deputy coordinators. Reporting options and online reporting forms can be found at the following website: [www.sfasu.edu/lumberjacks-care](http://www.sfasu.edu/lumberjacks-care). In addition, a link to reporting information will be maintained on the university home page.

a. **Anonymity**

Individuals wishing to remain anonymous may report a suspected policy violation by completing the online “**Sexual Misconduct Reporting Form**” without providing any personal identification, or by telephone or written communication with the Title IX coordinator or a deputy coordinator. Electing to remain anonymous may significantly limit the university’s ability to stop the harassment, collect evidence, or take effective action against individuals or organizations accused of violating the policy. Retaliation against a person making a report or participating in an investigation is prohibited as outlined in Section 9.1 of this policy.

b. **Confidentiality**

The university has an obligation to maintain an environment free of sex discrimination, thus many university employees have mandatory reporting and response obligations and may not be able to honor a Complainant’s or Reporting Party’s request for confidentiality. Complainants and Reporting parties Parties who want to discuss an alleged policy violation in strict confidence may use the resources outlined in Section 4.5.

c. **Timeliness of Report**

Reports of policy violations should be made as soon as possible after the Complainant or Reporting Party becomes aware of the inappropriate conduct. Delays in reporting can greatly limit the university’s ability to stop
the harassment, collect evidence, and/or take effective action against individuals or organizations accused of violating the policy.

4.2 Responsible Employees
Incidents of Sexual Misconduct may also be reported to Responsible Employees. A Responsible Employee is a university employee who has the duty to report incidents of Sexual Misconduct to the Title IX coordinator or other appropriate designee, or an employee whom an individual could reasonably believe has this duty. Responsible Employees include all administrators, faculty, supervisory staff, residence life directors and advisors, and graduate teaching assistants. Any employee with confidentiality obligations as defined in Section 4.5 is excepted. Responsible Employees should report incidents of Sexual Misconduct to the Title IX coordinator as soon as possible using the Responsible Employee - Title IX Reporting Form. Responsible Employees can find contact information for the Title IX coordinator and deputy coordinators at the following website: www.sfasu.edu/lumberjacks-care.

4.3 Reporting to Law Enforcement
Reports of Sexual Misconduct may also be made to the Stephen F. Austin State University Police Department at 936-468-2608 (non-emergency) or 911 (emergency) or to the City of Nacogdoches Police Department 936-559-2607 (non-emergency) or 911 (emergency) or to other local law enforcement authorities. The Title IX Coordinator and deputy coordinators can assist individuals in contacting these law enforcement agencies. Employees and students with protective or restraining orders relevant to a report are encouraged to provide a copy to the University Police Department. Individuals are strongly encouraged to report all criminal violations to law enforcement.

If a report of Sexual Misconduct is made to the University Police Department, it will advise the Complainant or Reporting Party of their right to file a report under this policy. To the extent allowed by law and university policy, the University Police Department shall also notify the Title IX coordinator of the report, and provide the Title IX coordinator or the individual investigating the reported policy violation access to any related university law enforcement records, so long as doing so does not compromise any criminal investigation.

4.4 Reporting to Outside Entities
An individual wishing to make a report may also contact the U.S. Department of Education, Office for Civil Rights (OCR) to complain of sex discrimination or Sexual Misconduct including Sexual Violence:

7 For example, a student may make a report to an employee in the Office of the Dean of Student Affairs, a faculty member, or residence life staff. Each of these individuals is considered a Responsible Employee and accordingly each is obligated to report to the Title IX coordinator or other appropriate designee.
Employees may also contact the U.S. Equal Employment Opportunity Commission or Texas Workforce Commission Civil Rights Division to complain of sex discrimination or Sexual Harassment:

U.S. Equal Employment Opportunity Commission
Houston District Office
1919 Smith St., 6th Floor
Houston, TX 77002
Phone: (800) 669-4000
FAX: (713) 651-4987

Texas Workforce Commission
Civil Rights Division
101 E 15th St., Rm 144-T
Austin, TX 78778
Phone: (888) 452-4778

4.5 Confidential Support and Resources

Physical and mental health care professionals (including those who act in that role under the supervision of these individuals), are prohibited by confidentiality laws from reporting any information about an incident to anyone, in any way that identifies the Complainant or Reporting Party, without the Complainant’s or Reporting Party’s permission. University employees who learn of a reportable violation while providing confidential services outlined above are not required to report identifying information to the Title IX coordinator, but are required to submit non-personally identifiable reports so that statistical reports can be accurately produced. Thus, students may discuss an incident with a counselor or counseling trainee in the SFA Counseling Center or SFA Counseling Clinic, School Psychology Assessment Center, or a health care provider in the Student Health Clinic. In addition, the university has designated the Project Coordinator for the U.S. Department of Justice Office on Violence Against Women (DOJ OVW) as a confidential reporting source. Any person can report a violation of this policy to any of these confidential reporting sources without concern that personally identifiable information related to the incident will be reported to the Title IX coordinator. Employees may seek assistance from the SFA Counseling Clinic, their own personal health care provider, or an off-campus resource without concern that the incident will be reported to the Title IX coordinator. More
information about university and community resources that provide such confidential services can be found on the following website: www.sfasu.edu/lumberjacks-care.

4.6 Immunity Amnesty
In an effort to encourage reporting of Sexual Misconduct, the university will grant amnesty from disciplinary action to a person who voluntarily initiates a report of Sexual Misconduct, or assists a Complainant, or cooperates with the investigation, if that person acts in good faith in reporting a policy violation or participating in an investigation. This amnesty does not extend to the person’s own violations of this policy.

4.7 Title IX Coordinator and Deputy Coordinators
These are the SFA officials with responsibility for coordinating the university's efforts to comply with and carry out its responsibilities under Title IX and its implementing regulations, including the investigation of reported Title IX violations.

Contact information for the Title IX Coordinator and Deputy Coordinators is outlined below. This information is subject to change. The most updated contact information for the Title IX coordinator and deputy coordinators can be found at www.sfasu.edu/lumberjacks-care.

The SFA Title IX coordinator is the Assistant Dean of Student Affairs for Support Services
Rusk Building, Room 301 | titleIX@sfasu.edu | (936) 468-8292

Deputy Title IX coordinator for Students is the Assistant Dean of Student Affairs for Programming
Baker Pattillo Student Center, Suite 3.302 | titleIXstudents@sfasu.edu | (936) 468-7249

Deputy Title IX coordinator for Faculty, Staff, and Third Parties is the Director of Human Resources
Austin Building, Suite 201 | titleIXemployees@sfasu.edu | (936) 468-2304

Deputy Title IX coordinator for Athletics is the Senior Woman Administrator, SFA Intercollegiate Athletics
SFA Athletic Fieldhouse | titleIXathletics@sfasu.edu | (936) 468-3751

Deputy Title IX coordinator for the SFA Charter School is the CEO/Principal
SFA Charter School | 2428 Raguet Street | titleIXcharter@sfasu.edu | (936) 468-5899

5. Parties’ Rights Regarding Confidentiality and Privacy
The university has great respect for the confidentiality and privacy of the parties in a reported policy violation. Under federal law, however, Responsible Employees who receive a report of Sexual Misconduct must share that information with the Title IX coordinator and/or a deputy coordinator. Those individuals may need to act to maintain campus safety and must determine whether to investigate further under Title IX, regardless of the Complainant’s or Reporting Party’s request for confidentiality.

All university employees who are directly involved in the university’s response to allegations of sexual misconduct outlined in this policy including investigators, members of appellate committees, sanctioning authorities, and administrative personnel, receive specific instruction about respecting and safeguarding private information. Throughout the process, every effort will be made to protect the privacy interests of all individuals involved in a manner consistent with the need for a thorough review of the report. Such a review is essential to protecting the safety of the Complainant, the Respondent, any other individuals involved in the process, and the broader campus community and to maintaining an environment free from sex discrimination and gender-based harassment.

Privacy and confidentiality have distinct meanings under this policy.

**Privacy**

Privacy generally means that information related to a report of misconduct will only be shared with a limited group of individuals. The use of the information is limited to those university employees who “need to know” in order to assist in the active review, investigation, or resolution of the report. While not bound by confidentiality, these individuals will be discreet, and respect and safeguard the privacy of all individuals involved in the process as much as possible to ensure a fair, reliable, impartial, and proper investigation is completed.

**Confidentiality**

Confidentiality means that information shared by an individual with designated campus or community professionals cannot be revealed to any other individual without the express permission of the individual. These campus and community professionals include mental health providers, such as psychologists, counselors, and therapists; healthcare providers, such as doctors and nurses; ordained clergy; and sexual assault advocates, while working in their professional capacity where this privilege is attached. These individuals are prohibited from breaking confidentiality unless there is an imminent threat of harm to self or others or as otherwise required by law.

In the course of the investigation, the university may share information only as necessary with people who need to know to fulfill the purposes of this policy and applicable law, such as investigators, witnesses, and the Respondent. The university will take all reasonable steps to ensure there is no Retaliation against a Complainant, Reporting Party, responding party, Respondent, witness, or third party. The university will comply with the Family Educational
Rights and Privacy Act (FERPA), with Texas Education Code Sec. 51.971, as applicable, and other confidentiality laws as they apply to Title IX investigations. To the extent possible, the university will also protect the privacy of all parties involved in a report of Sexual Misconduct.

6. Resources

6.1 Immediate Assistance

SFA Counseling Center  
(936) 468-2401  counseling@sfasu.edu

SFA Student Health Clinic  
(936) 468-4008  healthservices@sfasu.edu

SFA University Police  
(936) 468-2608  updemail@sfasu.edu

Family Crisis Center of East Texas – Campus Office  
(936) 468-7233  
(800) 828-7233 (24 hour crisis line)

A. Healthcare

An individual who experiences any form of sexual, domestic, or Dating Violence is encouraged to seek immediate medical care. Also, preserving DNA evidence can be key to identifying the perpetrator in a Sexual Violence case. Individuals can undergo a medical exam to preserve physical evidence with or without police involvement. If possible, this should be done immediately.

B. Police Assistance

The university strongly encourages individuals who have experienced Sexual Misconduct to make a report to the police. It is important to note that a police department’s geographic jurisdiction depends on where the Sexual Misconduct occurred. If the incident occurred on the university campus, a report may be filed with the SFA University Police Department by calling 936-468-2608 or in person at the police headquarters at 232 East College Street, even if time has passed since the assault occurred. SFA university police can also inform the Complainant on how to obtain a protective order.

Reporting an assault to law enforcement does not mean that the case will automatically go to criminal trial or to a university disciplinary hearing. If the university police are called, an officer will be sent to the scene to take a detailed statement. A report may be filed with the university police even if the assailant is not a university student or employee.
If the incident occurred off-campus a report may be filed with the appropriate law enforcement agency. No matter the location of the incident, SFA university police can assist the Complainant in filing a report with the appropriate law enforcement agency. If a report is made to a law enforcement agency, an officer will usually contact the Complainant to take a written report.

C. Counseling and Other Services

A person who has experienced Sexual Violence is strongly encouraged to seek medical and psychological care even if the person does not plan to report the assault to the police. A person may be prescribed medications to prevent sexually transmitted infections and/or pregnancy even if the police are not contacted.

In accordance with this policy, students involved in a case alleging any prohibited behavior related to this policy, including any Complainant, Reporting Party, or Responding Party, will be offered counseling provided by a counselor who does not provide counseling to any other person involved in the incident, to the greatest extent practicable based on the number of counselors employed by the institution. A referral will be made by the Title IX coordinator or designee to Counseling Services when there is a request made for counseling to inform counseling services of the need for separate appointment times and providers.

Medical care for students can be provided at the Student Health Clinic, at a local emergency room, or by a private physician. Psychological support for students can be provided by the SFA Counseling Center.

Students desiring counseling should contact:
SFA Counseling Center
(936) 468-2401

Faculty and staff should contact:
Family Crisis Center of East Texas
(936) 468-7233
(800) 828-7233 (24 hour crisis line)

6.2 Interim Measures and Ongoing Assistance

In addition to the services provided by on- and off-campus providers, the university will take immediate and interim measures to assure the safety and well-being of the Complainant, to maintain an environment free from harassment, discrimination or Retaliation, and to protect the safety and well-being of community members.
For example, if the accused is an employee, interim action may include reassignment and/or suspension. If the accused is a student, interim action may include suspension, no contact orders, changing living arrangements, modifying the course schedule, or modifying other aspects of the educational environment. Interim action may also include allowing the Complainant to move to a new residence hall, change work schedules, alter academic schedules, and withdraw from or retake a class without penalty. Moreover, the university may be able to provide additional accommodations for a Complainant while an investigation is pending.

At the outset of an investigation, students alleging policy violations involving violence, including but not limited to Sexual Assault, domestic violence, Dating Violence, or Stalking, and who are enrolled in the same course with a Respondent, may withdraw from the course without any academic penalty as an interim measure. This same option is available to the Respondent.

7. Intake Procedures and Protocol

7.1 Key Officials in an Investigation

A. Title IX Coordinator

The Title IX coordinator is the senior university administrator who oversees the university’s compliance with Title IX. The Title IX coordinator is responsible for leading the administrative investigation of reports of Sexual Misconduct and is available to discuss options, provide support, explain university policies and procedures, and provide education on relevant issues. The Title IX coordinator may designate one or more deputy Title IX coordinators.

Any member of the university community may contact the Title IX coordinator or a deputy coordinator with questions.

B. Investigators

The Title IX coordinator will ensure that reported policy violations are properly investigated under this policy. The Title IX coordinator will also ensure that investigators are properly trained at least annually to conduct investigations that occur under this policy.

7.2 Assessment of Reported Policy Violation

The Title IX coordinator or designee will conduct a preliminary assessment of the reported policy violation and determine whether a formal resolution or an informal resolution should occur.
7.3 Notification to Complainant of University Offices Offering Assistance

After receiving a reported policy violation, the Title IX coordinator or deputy coordinator shall inform the Complainant of available resources and assistance.

7.4 Informal Resolution of Certain Sexual Misconduct Reports. (OPTIONAL)

Informal resolution may be appropriate:

(a) With a report not involving Sexual Violence as defined in this policy; and

(b) When both parties are categorically similar (i.e. employee/employee or student/student).

If informal resolution is deemed appropriate by the Title IX coordinator or designee, then the individual will be provided assistance with informally resolving the alleged Sexual Misconduct. Assistance may include, depending on the reported policy violation, providing the Complainant with strategies for communicating with the offending party that the behavior is unwelcomed and should cease, directing a university official to inform the offending party to stop the unwelcomed conduct, or other informal resolution designed to stop, remedy and prevent future incidents. However, the university may take more formal action, including disciplinary action, to ensure an environment free of Sexual Harassment or Sexual Misconduct. A Complainant may end this informal process at any time and proceed with a formal report and investigation.

Timeframe

Informal resolutions should be completed no later than 10 business days after the Title IX coordinator receives the request for informal resolution. Should an informal resolution take longer, a justification for the delay will be provided to the parties by the Title IX coordinator.

Confidentiality and Documentation

The university will document informal resolutions. The Title IX coordinator will retain the documentation. If the Complainant or Reporting Party wishes to remain anonymous, the university’s ability to establish facts and eliminate the alleged misconduct will be limited. The university will attempt to find the right balance between the Complainant’s desire for privacy and confidentiality and its responsibility to provide an environment free of Sexual Misconduct.

7.5 Formal Complaint and Investigation
Formal Complaint

To begin the investigation process, the Complainant or Reporting Party should submit a signed, written statement setting out the details of the conduct that is the subject of the reported policy violation, including the Complainant’s name, signature, and contact information; the name of the person(s) directly responsible for the alleged violation; a detailed description of the conduct or event that is the basis of the alleged violation; the date(s) and location(s) of the occurrence(s); the names of any witnesses to the occurrence(s); the resolution sought; and any documentation or information that is relevant to the reported policy violation. The university may initiate an investigation regardless of the manner in which a reported policy violation is received; however a detailed written complaint may enhance the investigation. If the complaint is not in writing, the investigator should prepare a statement of what he or she understands the reported violation to be after the initial interview and ask the Complainant to verify that statement.

Investigation and Finding(s)

A. An investigator will be assigned to investigate the reported policy violation.

B. As part of the investigation process, the Complainant and the Respondent will be provided notice of the reported policy violation and be allowed five (5) business days to respond in writing. If the Complainant or Respondent has evidence that there is a conflict of interest or other bias between them and the Title IX coordinator or investigator assigned to the investigation, such individual should describe and provide the evidence of the conflict of interest or bias in their response. Substantiated conflicts of interest or other bias will be handled in accordance with Section 8.3 of this policy.

C. As part of their response, the Complainant and the Respondent may present any document or information that is believed to be relevant to the reported policy violation.

D. Persons thought to have information relevant to the reported policy violation will be interviewed and those interviews will be appropriately documented. Both the Respondent and the Complainant may recommend witnesses for interview and suggest questions that should be asked. Neither the Complainant nor the Respondent will normally attend these interviews or the gathering of evidence; however, if either one is permitted to attend, the other shall have the same right.

E. After the investigation is complete, a written report will be issued to the Title IX coordinator and the appropriate administrator. The appropriate

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8 Appropriate report redactions will be made to comply with Texas Education Code, Section 51.971, to the extent applicable.
administrator will depend on the status of the Respondent (i.e., student, faculty, employee, or third party). The report shall include a summary of the reported policy violation and investigation, factual findings, and a conclusion regarding whether a policy violation occurred (based on a Preponderance of the Evidence standard).

F. After the prior to completing the final written report is completed, the Complainant and Respondent will be provided an opportunity to review a preliminary report outlining the reported policy violation and investigation process including relevant evidence and factual findings. The Complainant and Respondent will be provided an opportunity to review this information and respond to the investigator if any relevant information or evidence has not been included or is misrepresented in the preliminary report. If necessary, additional investigation or clarifications will be made before completing the final written report, which will include a conclusion regarding whether a policy violation occurred based on preponderance of the evidence.

G. The Complainant and Respondent shall be informed concurrently in writing of the finding(s). Each will be allowed to inspect the report or, at the university’s discretion, be provided letters summarizing the findings in the report in keeping with FERPA and Texas Education Code, Section 51.971 to the extent applicable.

H. If the Respondent is found responsible for violation of this policy, after the appeal process in Section 7.6 has concluded, the matter will be referred to the appropriate administrator who will impose disciplinary action or sanction(s) in accordance with applicable policies and procedures dependent on the status of the Respondent (i.e. student, faculty, or employee).

7.6 Appeal

Each party will have five (5) business days from the date the report/letter is issued via e-mail to each party to submit a written appeal of the finding(s) using the “Sexual Misconduct Appeal of Investigation Findings” online form to the Title IX coordinator. An appeal is not intended to re-hear or re-argue the matter and is limited to the following grounds:

(a) substantive procedural error that resulted in preventing a fair, impartial, or proper investigation. Deviations from the designated procedures will not be a basis for sustaining an appeal unless material harm or prejudice results;
(b) discovery of substantial new evidence that was unavailable at the time of the investigation and which reasonably could have affected the findings of the investigator; and/or
(c) finding(s) not supported by the evidence.
If an appeal is filed, the other party will have two (2) business days to file a response to the appeal.

Appeals will be reviewed within seven (7) business days after being received. The Title IX coordinator will submit all appeal materials to an appeal panel consisting of three (3) members from a pool of trained individuals, typically deputy Title IX coordinators or investigators not affiliated with the matter. The appeal panel may:

(a) affirm or uphold the determination;
(b) request further investigation into the reported policy violation; or
(c) take such other action as may be warranted under the circumstances.

The Complainant and the Respondent shall be informed concurrently in writing of the decision.

7.7 Standard of Proof
All investigations under this policy will use the Preponderance of the Evidence standard to determine violations of this policy.

7.8 Timelines
Barring any unforeseen and reasonable delays, the university will endeavor to resolve reported policy violations under this policy in a good faith effort to conduct a thorough, fair, reliable, and impartial investigation in a timely manner. If an investigation and resolution goes beyond no later than sixty (60) calendar days after the initial report was received and the Respondent is placed on notice by the Responsible Employee. If the investigation and resolution exceeds sixty (60) calendar days, the university will notify all appropriate parties in writing of the reason for the delay and the expected time frame adjustment. Best efforts will be made to complete the process in a timely manner by balancing principles of thoroughness and fundamental fairness with promptness.

At the request of law enforcement, the university may defer its fact-gathering until after the initial stages of a criminal investigation. The university will nevertheless communicate with the Complainant regarding their rights, procedural options, the status of the investigation, and the implementation of interim measures to ensure the safety and well-being of the Complainant. The university will also communicate with the Respondent regarding the rights, procedural options and information regarding the status of the investigation as they relate to the Respondent. The university will promptly resume its fact-gathering as soon as law enforcement has completed its initial investigation, or if the fact-gathering is not completed in a reasonable time.
The university will not wait for the outcome of a concurrent criminal or civil justice proceeding to take action. The university has an independent duty to investigate reported policy violations of Sexual Misconduct.

The filing of a complaint under this policy does not excuse the Complainant from meeting time limits imposed by outside agencies. Likewise, the applicable civil or criminal statute of limitations will not affect the university’s investigation of the reported policy violation.

7.9 Remedies
In addition to sanctions that may be imposed pursuant to the appropriate disciplinary policy, the university will take appropriate action(s), including but not limited to those below to resolve reported policy violations of Sexual Misconduct, prevent any recurrence and, as appropriate, remedy any effects:

(a) Imposing sanctions against the Respondent, including attending training, suspension, termination or expulsion;

(b) Ensuring the Complainant and Respondent do not share classes, working environments, or extracurricular activities;

(c) Making modifications to the on campus living arrangements of the Respondent or Complainant (if the Complainant requests to be moved);

(d) Providing comprehensive, holistic support services including medical, counseling, and academic support services, such as tutoring;

(e) Providing the Complainant extra time to complete or re-take a class or withdraw from a class without academic penalty, and minimizing any financial implications to the extent permitted by applicable law or regulation;

(f) Determining whether Sexual Misconduct adversely affected the Complainant’s university standing;

(g) Conducting, in conjunction with university leaders, a university climate check to assess the effectiveness of efforts to ensure that the university is free from Sexual Misconduct, and using that information to inform future proactive steps that the university will take;

(h) Providing targeted training for a group of students or employees if, for example, the Sexual Misconduct created a Hostile Environment in a residence hall, department, student organization, or on an athletic team. Bystander intervention and Sexual Misconduct prevention programs may be appropriate;

(i) Issuing policy statements or taking other steps to clearly communicate that the university does not tolerate Sexual Misconduct and will respond to any incidents and to any individual who reports such incidents.
These remedies are separate from, and in addition to, any interim measures that may have been provided before the end of the university’s investigation. If the Complainant did not take advantage of a specific service (e.g., counseling) when offered as an interim measure, the Complainant should still be offered, and is still entitled to, appropriate final remedies that may include services the Complainant declined as an interim measure. A refusal at the interim stage does not mean the refused service or set of services should not be offered as a remedy.

7.10 Sanctions and Discipline
Disciplinary action against faculty and employees will be handled under the university’s policies for discipline and dismissal of faculty and employees. Disciplinary actions may include, but are not limited to, written reprimands, the imposition of conditions, reassignment, suspension, and dismissal. The vice president for university affairs, or designee, will impose disciplinary action, if any, against a student under the university’s student disciplinary procedures. Student disciplinary actions may include, but are not limited to, probation, suspension, or expulsion.

In accordance with federal law, when disciplinary action is commenced because of a violation of this policy, both parties will have equal opportunities in all aspects of the sanctioning process including notices and advisor assistance. Further, the standard of proof in determining the outcome will be the Preponderance of the Evidence, as defined in this policy.

8. Provisions Applicable to the Investigation

8.1 Assistance
During the investigation process, a Complainant or Respondent may be assisted by an advisor of their choosing, however, the advisor may not actively represent the Complainant or Respondent in any meeting or interview. Failure to abide by this policy may result in the advisor being dismissed from the meeting or interview.

8.2 Documentation
The university shall document reported policy violations and their resolution and retain copies of all materials in accordance with state and federal records laws and university policy.

8.3 Conflicts of Interest
In the event a conflict of interest (or related bias) exists between a Complainant/Respondent and a university official responsible for any part of the investigation or disposition of the reported policy violation, the university will determine if a conflict of interest (or other related bias) exists, and, if so, make appropriate substitutions for that individual’s role in the process.
9. Additional Conduct Violations

9.1 Retaliation
Any administrator, faculty member, student, or employee who knowingly and intentionally engages in any retaliatory action or behavior as outlined in this policy against any individual(s) involved in a case or investigation is subject to additional disciplinary action, up to and including expulsion and/or termination from the university. Individuals considered involved in a case or investigation include, but are not limited to, the Complainant(s); Reporting Party(ies); Respondent(s); any witness(es); and anyone who has submitted a reported violation, provided information in connection with a violation, and/or participated in an investigation or disciplinary process of a reported violation.

9.2 False Reports
A charge of filing a false report may be made by the university against any person who knowingly and intentionally files a false report under this policy. An individual found responsible is subject to disciplinary action up to and including dismissal or separation from the university. A finding of non-responsibility does not indicate a report was false.

9.3 Interference with an Investigation
Any person who knowingly and intentionally interferes with an ongoing investigation conducted under this policy is subject to disciplinary action up to and including dismissal or separation from the university. Interference with an ongoing investigation may include, but is not limited to:

(a) attempting to coerce, compel, or prevent an individual from providing testimony or relevant information;
(b) removing, destroying, or altering documentation relevant to the investigation; or
(c) providing false or misleading information to the investigator, or encouraging others to do so.

9.4 No Effect on Pending Personnel or Academic Actions Unrelated to the Reported Policy Violation
The filing of a report under this policy will not stop or delay any action unrelated to the report, including: (1) any evaluation or disciplinary action relating to a Complainant who is not performing up to acceptable standards or who has violated university rules or policies; (2) any evaluation or grading of students participating in a class, or the ability of a student to add/drop a class, change academic programs, or receive financial reimbursement for a class; or (3) any job-related functions of a university employee. Nothing in this section shall limit the university’s ability to take interim action.
10. Dissemination of Policy and Educational Programs

10.1 Policy Availability and Access

This policy is available to the public online at http://www.sfasu.edu/policies/; additionally, a direct link to the policy can be found on the Lumberjacks-Care website (www.sfasu.edu/lumberjacks-care) to provide additional related information and resources identified in the policy. References to this policy and related resources will also appear in other university publications. Periodic notices will be sent to university administrators, faculty, staff, and students about the university’s Sexual Misconduct policy. All currently enrolled students will be sent email notices at the start of each academic term before the official reporting date. The notice will include information about Sexual Misconduct, including the reporting procedure, and about university disciplinary policies and available resources, such as support services, health, and mental health services. The notice will specify the right to file a complaint under this policy and with law enforcement and will refer individuals to designated offices or officials for additional information.

10.2 Ongoing Sexual Misconduct Prevention Training and Lumberjacks Care Public Awareness Campaign

The university’s commitment to raising awareness of the dangers of Sexual Misconduct includes offering ongoing education through annual training and lectures by faculty, staff, mental health professionals, and/or trained university personnel. The university will regularly educate and train employees and supervisors regarding the policy and conduct that could constitute a violation of the policy. Preventive education and training programs will be provided to university administrators, faculty, staff, and students and will include information about risk reduction, including bystander intervention. Training on Sexual Harassment and Sexual Violence policy and procedures will be provided to law enforcement personnel, including training on their obligation to advise university administrators, faculty, staff, and students of their rights to file a complaint under this policy and their right to file a criminal complaint. More information about training and our Lumberjacks Care public awareness campaign can found at http://www.sfasu.edu/Lumberjacks-Care/

10.3 Training of Coordinators and Investigators

All Title IX coordinators, deputy coordinators, investigators, and those with authority over the administration of this policy shall receive training each academic year on the elements of this policy.

11. Annual Reporting and Notice
The university’s non-discrimination statement will be made available to all students, faculty, and employees online, in required publications, and in specified departments. On a regular basis, and upon any updates to this policy, the university will send notice of its compliance with Title IX as required by law. The notice shall designate the Title IX coordinator and deputy coordinators, explain which offenses are prohibited and where to report violations of this policy, provide information regarding available resources, and provide a link to this policy and other related university websites.


**Responsible for Implementation:** President

**Contact for Revision:** Title IX Coordinator

**Forms:** Sexual Misconduct Reporting Form, Sexual Misconduct Appeal of Investigation Findings Form, Responsible Employee - Title IX Reporting Form

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

Policy Name: Social Media

Policy Number: 15.11

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

Date of last revision, if applicable: 7/28/2015

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

Purpose of Policy (what does it do): The policy guides the use of social media by university entities.

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

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: No substantive changes

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Shirley Luna, Executive Director of Marketing Communications
Will Honea, East Texas Research Center Records Manager
Jill Still, Vice President for University Advancement
Damon Derrick, General Counsel
Social Media

Original Implementation: July 28, 2015
Last Revision: None July 24, 2018

Social media include the various Internet-based applications and activities that integrate technology, social interaction, and content creation. Examples include but are not limited to blogs, Facebook, Snapchat, Flickr, Google +, Instagram, LinkedIn, Twitter, wikis and YouTube. These platforms are an important communication tool for the university and can provide vital information and engagement opportunities to prospective and current students, alumni and other stakeholders.

All employees acting within the scope of their employment are expected to adhere to the same standards of conduct online as they would in the workplace. Social media usage is governed by the same policies that govern other electronic communications, as well as applicable state and federal laws, and NCAA rules and regulations. Any content and/or online activity created by a poster or site moderator that violates these laws and regulations is strictly prohibited and will be removed in accordance with this policy.

All official Stephen F. Austin State University accounts on social media platforms must publish and consistently enforce the Terms of Use and Deletion policy shown below. For example, Facebook accounts should include this information in the “general information” section of the “Page Info” area; YouTube accounts should post the policy in the “about” section.

Terms of Use and Deletion Policy

*Stephen F. Austin State University*-managed online communities are intended to inform users of SFA-related news and events, and to foster discussion and a sense of community among users. We encourage you to share your opinions and comment freely about the topics we post, but ask that you provide comments that are respectful and professional. If we become aware of posts that are in violation of the terms of service of the social media site, or that are off-topic, represent advertisements or spam, promote or endorse political campaigns or candidates, violate the law, constitute or encourage illegal activity, violate an intellectual property right, infringe upon someone’s rights, or contain obscenities or threats, we reserve the right to remove them. Our social pages exist to serve those affiliated with Stephen F. Austin State University.

All social media accounts affiliated with the university must adhere to guidelines available in the Identity Standards manual, developed by University Marketing Communications (UMC) and available on the UMC website. The Identity Standards manual is approved by, and may be modified by, the university president.
Records Retention

Communications (messages, posts, photographs, videos and other formats) submitted or received using social media tools are considered public records and are subject to the Texas State Records Retention Schedule requirements. Social media communications are included as the record series titled “Social Networking Communications” in the SFA Records Retention Schedule.

Suspension of Records Disposition (Legal Holds): A state record may not be destroyed if any litigation, claim, negotiation, audit, open records request, administrative review, or other action involving the record is initiated before the expiration of a retention period for the record set by the Texas State Library and Archives Commission, or in the approved records retention schedule of the agency, until the completion of the action and the resolution of all issues that arise from the action, or until the expiration of the retention period, whichever is later (Texas Government Code Section 441.187).

Social media content that is not a duplicate record, transitory, or retained elsewhere must be captured by the administrator and maintained for the full retention period of the appropriate record series. The program area will be responsible for selecting the method of record archiving and purging, subject to the approval of the appropriate records management coordinator.

Cross Reference: Tex. Gov’t Code § 441.187; Identity Standards Manual; Records Retention Schedule

Responsible for Implementation: Vice President for University Advancement

Contact For Revision: Executive Director of Marketing Communications

Forms: None

Board Committee Assignment: Academic and Student Affairs
Policy Name: Staff Development

Policy Number: 11.27

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

Date of last revision, if applicable: 4/14/2015

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

Purpose of Policy (what does it do): The policy outlines the requirements for requesting and receiving staff development.

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

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

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision:

Specific rationale for deletion of policy: This content of this policy is covered in more detail under Policy 11.11 Employee Training. This policy is limited to non-academic staff but Policy 11.11 covers both staff and faculty.

Additional Comments:

Reviewers:

Loretta Doty, Director of Human Resources
Danny Gallant, Vice President for Finance and Administration
Damon Derrick, General Counsel
Opportunities for staff development shall be provided on a limited basis as funds designated for this purpose are available. Projects must be related to the employee's current university responsibilities or be directly related to skills or information relevant to a specific university job or position the employee is seeking that is within his/her career path. Typical staff development projects may include formal education such as short courses, seminars or college-level courses and/or training courses or seminars related to computers or other electronic or mechanical equipment.

The following should guide the preparation and approval procedure for staff development proposals:

1. Projects may be proposed and approved for non-faculty, full-time staff members, either exempt or non-exempt.
2. Any eligible employee, as defined in item 1 above, may submit a proposal for either himself/herself or for an employee who reports to him/her.
3. Proposals, containing a detailed description of the project/program and estimated costs, must be submitted to the employee's immediate supervisor and routed for approval through administrative channels to the appropriate vice-president.
4. A copy of the proposal showing the amount approved by the vice-president must be attached to any travel request, voucher, etc., required for payment or reimbursement.

Cross-Reference: Employee Scholarship Program (12.5)

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Director of Human Resources

Forms: None

Board Committee Assignment: Academic and Student Affairs
Policy Name: Student Code of Conduct

Policy Number: 10.4

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

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

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

Purpose of Policy (what does it do): Outlines the student code of conduct and proscribed conduct and procedures for ensuring due process to those accused when addressing violations of policy and applying sanctions.

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

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: Reviewed with no revisions recommended.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Dr. Peggy Scott, Director of Student Rights and Responsibilities
Dr. Michael Walker, Assistant Dean of Student Affairs Support Services
Dr. Adam Peck, Assistant Vice President/Dean of Student Affairs
Dr. Steve Westbrook, Vice President for University Affairs
Damon Derrick, General Counsel
Appendix 8

Student Code of Conduct

Original Implementation: January, 1998  
Last Revision: July 25, 2017 July 24, 2018

Choosing to join the SFA community obligates one to adhere to a code of civilized behavior that embraces academic and personal integrity; respect for the dignity, rights and property of others; and an intolerance of bigotry. In keeping with this obligation, students and student organizations are expected to conform to the standards outlined in the Student Code of Conduct.

Additionally, at SFA, the community holds itself to a standard called The SFA Way. At its basis, The SFA Way encourages the entire university community to “strive for personal excellence in everything we do.” While the Student Code of Conduct articulates the minimum expectations of those in the community, the university encourages students to “hold themselves and others accountable” to the higher standards of The SFA Way.

This document is organized into the following sections:

Article I: Definitions  
Article II: Proscribed Conduct  
Article III: Procedures  
Article IV: Non-Discrimination, Interpretation and Revision

ARTICLE I: DEFINITIONS

1. The term “university” means Stephen F. Austin State University.
2. The term “student” includes all persons enrolled at the university. Persons who withdraw after allegedly violating the Student Code of Conduct, who are not officially enrolled for a particular term but have a continuing relationship with the university, or participate in university sponsored activities prior to enrollment, are considered “students;” as are persons who are living in university residence halls, although not enrolled.
3. The “vice president for university affairs” is the person designated by the university president to be responsible for the administration of the Student Code of Conduct.
4. The term “student conduct administrator” means a university official authorized by the vice president for university affairs or his/her designee to impose sanctions upon any student(s) found to have violated the Student Code of Conduct.
5. The term “student conduct authority” means any person or persons authorized by the vice president for university affairs or designee to determine whether a student has violated the Student Code of Conduct and to recommend or impose sanctions when a violation has been committed.
6. The term “respondent” means any student accused of violating this Student Code of Conduct.
7. The term “reporting party” means any person who submits a charge alleging a student has violated this Student Code of Conduct.
8. The term “due process” means a respondent has or will be given notice of the accusation and an opportunity for a hearing. In a case involving a reporting party, the reporting party will have the same access to due process as the respondent.

10.4 Student Code of Conduct
9. The term, “university-recognized medium” refers to means of communicating with students. In most cases, this will mean the student’s official SFA email address.

10. The term “student conduct hearing” means a meeting between the student conduct authority and a respondent(s) to determine, through a sharing of information, whether the student(s) has violated the Student Code of Conduct as well as the need for any sanction.

11. The term “administrative disposition” means a hearing with a Student Conduct Authority to determine whether a student has violated the Student Code of Conduct and imposing sanctions on students found responsible for violations.

12. The term “advisor” means an individual accompanying a respondent or a reporting party in a student conduct hearing. An advisor may not participate in the hearing in any capacity other than providing advice to the student they are accompanying.

13. The term “appeal” means the review by the designated appellate authority of the full record of a disciplinary hearing and the sanction imposed by a student conduct administrator or student conduct hearing board to determine the adequacy of the procedures used and the fairness of the sanctioning. The appeal may or may not include a meeting with the respondent and/or reporting party.

14. The term “appellate authority” means any person or persons authorized by the vice president for university affairs or designee to consider an appeal regarding a student conduct authority’s determination as to whether a student has violated the Student Code of Conduct or regarding the sanctions imposed by the student conduct administrator.

15. The term “faculty member” means any person hired by the university to conduct classroom or teaching activities or who is otherwise considered by the university to be a member of its faculty.

16. The term “university official” includes any person employed by the university while in the act of performing assigned responsibilities.

17. The term “member of the university community” includes any person who is a student, faculty member, university official or other person employed by the university. A person’s status in a particular situation shall be determined by the student conduct administrator.

18. The term “university premises” includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the university (including adjacent streets and sidewalks).

19. The term “organization” means any number of students who have met as a group, whether as a registered student organization or not.

20. The term “policy” means the written regulations of the university as found in, but not limited to, the Student Code of Conduct, the student handbook, residence life handbook and/or community guidelines, the university web page and online policy manual, computer use policies, graduate and undergraduate general bulletins and the schedule of classes.

21. The term “complicity” means being present during the planning or commission of any violation of the Student Code of Conduct in such a way as to condone, support, or encourage that violation. Students who anticipate or observe a violation of the Student Code of Conduct are expected to remove themselves from association or participation and are encouraged to report the violation.

22. The term “interim suspension” refers to the suspension of a student after notice but prior to a student conduct hearing.

23. The term “shall” is used in the imperative sense.

24. The term “may” is used in the permissive sense.
ARTICLE II: PROSCRIBED CONDUCT

A. Jurisdiction of the Student Code of Conduct

This Student Code of Conduct shall apply to conduct that occurs on university premises, at university sponsored activities, in electronic communities/instructional sites that exist because of or are associated with the university and to off-campus conduct that adversely affects the university community and/or the pursuit of its objectives. The Student Code of Conduct shall apply to a student’s conduct even if the student withdraws from school while a disciplinary matter is pending. The vice president for university affairs or designee shall decide whether the Student Code of Conduct shall be applied to conduct occurring off campus, on a case-by-case basis, in his/her sole discretion. Student conduct which may be the result of psychological issues may be reviewed under policy 10.13 (Students Displaying Serious Psychological Problems). Student conduct which may defined as sexual misconduct will be reviewed under policy 2.13 (Sexual Misconduct).

B. Conduct—Rules and Regulations

Any student found to have committed or to have attempted to commit the following misconduct is subject to disciplinary sanctions:

1. Acts of dishonesty, including but not limited to the following:
   a. Cheating or plagiarism as defined in university policy 4.1 (Student Academic Dishonesty), or other forms of academic dishonesty or breach of integrity such as but not limited to the distribution or selling of lecture notes, handouts, readers or other instructor-provided materials without permission.
   b. Furnishing false information to any university official, faculty member, or office.
   c. Forgery, alteration, or misuse of any university document, record, or instrument of identification.
   d. Fraud as defined in university policy 2.7 (Fraud).

2. Disorderly conduct, disruption or obstruction of teaching, research, administration, living environments, disciplinary proceedings, other university activities, including public service functions on or off campus, or of other authorized non-university activities when the conduct occurs on university premises. These acts include, but are not limited to:
   a. Making or causing any false report, warning, or threat of fire, explosion, or other emergency.
   b. Interfering with police, fire or emergency service.
   c. Failure to evacuate a building or area when directed.
   d. Willfully disregarding any emergency or fire alarm signal.
   e. Disorderly conduct or disruptions in classrooms, other instructional areas and university events.

3. Physical abuse, fighting, assault, verbal abuse, threats, intimidation, harassment, bullying, coercion, stalking, or other conduct defined in university policies 13.3 (Annual Disclosure of Crime Statistics) or 2.13 (Sexual Misconduct), which threatens or endangers the health or safety of any person that is not an exercise of constitutional rights.
4. Discrimination, as defined in university policy 2.11 (Discrimination Complaints), sexual assault, sexual abuse, and other sexual misconduct defined in university policies 13.3 (Annual Disclosure of Crime Statistics) or 2.13 (Sexual Misconduct).

5. Attempted or actual theft of and/or damage to property of the university or property of a member of the university community or other personal or public property, on or off campus. This includes possession of stolen property and other related conduct defined in university policy 13.3 (Annual Disclosure of Crime Statistics).

6. Hazing, as defined in university policy 10.3 (Hazing).

7. Failure to comply with directions of university officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.

8. Wrongful use of university goods, services or information including but not limited to:
   a. Unauthorized possession, duplication or use of keys to any university premises or unauthorized entry to or use of university premises.
   b. Unauthorized possession or use of security codes, long distance access codes or calling cards, or cable service.
   c. Sale or use of university property for personal gain.
   d. Misuse of proctoring, tutoring, testing or student accommodation services.

9. Violation of any university policy, rule, or regulation published in hard copy or available electronically on the university website.

10. Violation of any federal, state or local law including, but not limited to:
    a. Arson,
    b. Robbery,
    c. Burglary,
    d. Forgery,
    e. Gambling, and
    f. Trespassing.

11. Use, possession, manufacturing, or distribution of any illegal substance as delineated in university policy 13.11 (Illicit Drugs and Alcohol Abuse), or a simulated illegal substance, or drug paraphernalia.

12. Use, possession, manufacturing, or distribution of alcoholic beverages or products (except as expressly permitted by university policy 13.11 regarding Illicit Drugs and Alcohol Abuse), or public intoxication or other alcohol-related crime. Alcoholic beverages or products may not, in any circumstance, be used by, possessed by or distributed to any person under twenty-one (21) years of age.

13. Illegally or unauthorized possession of firearms, ammunition, explosives, fireworks, other weapons, or dangerous chemicals, as outlined in university policy 13.9 (Firearms Explosives and Ammunition) or use of any item, such as a weapon replica, even if legally possessed, in a manner that harms, threatens or causes fear to others. Possession of weapon replicas will be determined on a case-by-case basis.

14. Obstruction of the free flow of pedestrian or vehicular traffic on university premises or at university sponsored or supervised functions.

15. Theft, destruction or other abuse of computer facilities and resources, as delineated in university policies including, but not limited to: university policies 14.2 (Computer and Network Security), 9.3 (Digital Millennium Copyright), or 9.1 (Computing Software Copyright). Examples of prohibited acts in these policies include:
a. Unauthorized entry into a file or account, to use, read, or change the contents, or for any other purpose.
b. Unauthorized transfer, copying or download of a file or software.
c. Use of another individual’s identification and/or password.
d. Use of computing facilities and resources to interfere with the work of another student, faculty member or university official.
e. Use of computing facilities and resources to send obscene or abusive messages.
f. Use of computing facilities and resources to interfere with normal operation of the university computing system.
g. Use of computing facilities and resources in violation of copyright laws.
h. Violation of any departmental or lab policy.
i. Use of any device that interferes with the normal operations of the university computing system.

16. Interfering with the freedom of expression of others on university property or at university-sponsored events.

17. Abuse of the student conduct system, including but not limited to:
   a. Failure to obey the notice from a student conduct hearing board or university official to appear for a meeting or hearing as part of the student conduct system.
   b. Falsification, distortion, or misrepresentation of information before a student conduct hearing board.
   c. Disruption or interference with the orderly conduct of a student conduct hearing board proceeding.
   d. Institution of a student conduct code proceeding in bad faith.
   e. Attempting to discourage an individual’s proper participating in, or use of, the student conduct system.
   f. Attempting to influence the impartiality of a member of a student conduct hearing board prior to, and/or during the course of, the student conduct hearing board proceeding.
   g. Harassment (verbal or physical) and/or intimidation of a member of a student conduct hearing board prior to, during, and/or after a student conduct code proceeding.
   h. Failure to comply with the sanction(s) imposed under the Student Code of Conduct.
   i. Influencing or attempting to influence another person to commit an abuse of the student conduct code system.
   j. Retaliating against any party involved in the student conduct process.

18. Violating any rule, regulation, or law for which the university could be penalized including but not limited to fire, safety or environmental codes.

19. Failure to complete required student trainings/assessments within the timeframe determined by university officials.

C. Violation of Law and University Discipline

University disciplinary proceedings may be instituted against a student charged with conduct that potentially violates both the criminal law and this Student Code of Conduct (that is, if both possible violations result from the same factual situation) without regard to the pendency of civil or criminal litigation in court or criminal arrest and prosecution. Proceedings under this Student Code
Code of Conduct may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus at the discretion of the vice president for university affairs or designee.

Determinations made or sanctions imposed under this Student Code of Conduct shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of university rules were dismissed, reduced, or resolved in favor of or against the criminal law defendant.

When a student is charged by federal, state, or local authorities with a violation of law:

a. The university will not request or agree to special consideration for that individual because of his or her status as a student.

b. The university may advise off-campus authorities of the existence of the Student Code of Conduct and of how such matters are typically handled within the university community.

c. The university will attempt to cooperate with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators provided that the conditions do not conflict with campus rules or sanctions.

d. Individual students and other members of the university community, acting in their personal capacities, remain free to interact with governmental representatives, as they deem appropriate.

**ARTICLE III: PROCEDURES**

**A. Introduction**

The following rules of procedure in student disciplinary matters are adopted to ensure that the university will fulfill the requirements of procedural due process in student disciplinary proceedings, that the Stephen F. Austin State University Student Conduct Code and Residence Life Community Living Guidelines may be secured to all students and that the disciplinary procedures within Stephen F. Austin State University shall be definite and determinable.

These rules of procedure shall be followed in any disciplinary proceeding, subject to the authority of the Board of Regents and the authority delegated to the president of the university to exercise jurisdiction over disciplinary matters of the university. Cases involving sexual misconduct will be investigated according to university policy 2.13 (Sexual Misconduct). Sanctioning and appeals of sanctions in cases involving sexual misconduct will be conducted under this policy.

**B. Overview of the Process**

When a complaint is received in the Office of Student Rights and Responsibilities, the respondent will be contacted through a university-recognized medium or personal delivery. The student will be provided with a notice to appear for an administrative disposition with the student conduct authority. Details of administrative disposition procedures are provided below. Once a decision has been made, either the respondent, reporting party or both shall have the right to request a hearing under the hearing procedures after the conclusion of an administrative disposition. Details of hearing procedures are provided below. A student may appeal the finding of the hearing to the dean of student affairs or his/her designee. If a student desires, they may waive their right to a hearing in favor of a hearing with the dean of student affairs or designee so long as they are
appealing the sanction received and not the findings of the student conduct authority. The ruling of the dean of student affairs or designee shall be final. Procedures governing appeals are provided below.

C. Filing the Complaint
Any member of the university community may file a complaint against a student alleging a violation or violations of the Student Code of Conduct. Complaints may be submitted in writing to the Office of Student Rights and Responsibilities. Anonymous complaints may be made; however, limited involvement by the reporting party could impact the ultimate finding of responsibility.

D. Filing a False or Frivolous Complaint
Knowingly filing a false or frivolous complaint or knowingly providing false information to intentionally mislead university officials who are investigating or reviewing a complaint is expressly forbidden. A frivolous complaint is one that is made in retribution for another student filing a complaint and that can be clearly demonstrated as lacking merit. Violators may face charges up to and including suspension or expulsion. The university is the sole party who may file charges of a false or frivolous complaint.

E. Notice of Allegations/Charges
Upon receiving a report of an alleged violation of the Student Code of Conduct, the student conduct administrator will review the report and, if needed, conduct an initial investigation. If there is sufficient evidence to indicate that a violation may have occurred, a notice of allegations/charges will be sent to the respondent, including the alleged incident date and the nature of the charges, with instructions to appear in person at a designated location within five (5) business days to begin the student conduct process. The official means of contacting a student will be through university email or postal mail. If the student does not respond as instructed, another notice will be sent allowing another five (5) business days to respond. Failure to respond to the second notice may lead to the case being heard in absentia (without the student being present) and holds placed on the student’s account. Holds will remain in place at least until the student contacts the student conduct administrator to receive case resolution information or until any sanction has been completed. Appeals to student conduct findings and/or sanctions heard in absentia must be filed within five (5) business days of the student conduct authority or student conduct hearing board’s decision.

Where an incident has or can be reasonably expected to greatly disrupt the university environment, falls within the category of a suspensible offense, or occurs at the beginning or very near the end of a semester, the student may be contacted to come in immediately to begin the process. In addition to notices by email and postal mail, attempts will be made to contact the student by phone or by in-person contact by a university employee. This expedited contact is intended to preserve the university living/learning environment and can offer a student found responsible of an infraction options that may be time-limited or time-based, such as withdrawing prior to financial penalties or beginning a suspension period in a timely manner.

Failure by a student to have current contact information on file will not invalidate the notices.


F. Immediate Response
The university reserves the right to take any action as may be reasonably appropriate, upon receipt of a complaint, to protect the reporting party or university community pending the final outcome of these procedures. These actions may include housing reassignments, class schedule changes, and/or restrictions from entering certain buildings or participation in certain events. These actions will be handled on a case-by-case basis.

G. Investigation
The student conduct administrator, or designee, will begin an investigation of the case as an impartial party, not as a representative of the reporting party. The investigator will interview the reporting party, the accused and any other persons who may have pertinent factual information about the case. The process and the potential outcomes will be explained to both the reporting party and the accused, especially the use of the investigatory results in the student conduct process. All persons interviewed will be advised that this is a confidential investigation.

The investigator will meet with the respondent and provide the student access to the written complaint. The respondent may choose to respond verbally in the interview or in writing within a specified time. If the respondent accepts responsibility for the complaint allegations, the case can be resolved at that time through an administrative disposition or other remediation and the reporting party contacted with the outcome to the extent allowed by law, as well as the Title IX and ADA coordinators as appropriate. Both students have the right to request a hearing under the hearing procedures after the conclusion of an administrative disposition or to appeal the outcome as outlined in the appeals section of this policy.

The investigator may also gather and examine documents and other evidence relevant to the complaint and may consult with appropriate personnel for advice and guidance as applicable. The investigation should be completed within 20 business days. The investigator will document any reasons for an investigation taking longer than 20 business days. The investigation includes the preparation of the report of findings and recommendations (if appropriate).

H. Burden of Proof
The burden of proof is by a preponderance of the evidence, defined as evidence which leads a reasonable person to conclude something is more probable than not. The rules of evidence do not apply in any hearing nor are the proceedings to be conducted as judicial trials; however, care shall be taken to comply with the intent of the procedural safeguards provided by these guidelines.

I. Administrative Disposition
Administrative dispositions will be conducted with a single-member student conduct authority who will review the initial report, allow the student to respond or offer additional evidence, render a decision and determine sanctions as deemed appropriate. The ability to present witnesses to the alleged incident may be limited in this format. If the student conduct authority is unable to render a decision, or if the details of the case make a hearing more advisable, he/she may refer the case to the student conduct hearing board for a hearing. Otherwise, a student must request a hearing under the hearing procedures after the conclusion of an administrative disposition or appeal the sanction to the dean of student affairs or designee within five (5) business days of the decision or the decision becomes final.
J. Hearing
A multi-member board composed of at least three individuals (typically two faculty/staff and one student) will conduct hearings. The faculty/staff members will be selected from a pool of appointees from the vice president for university affairs. The students will be selected from and representative of the general student population with input from the student government association president. A respondent will be advised of the board members in the hearing notification described below and have one business day to challenge a board member’s participation based on known facts that would impact impartiality or conflict of interest. The university may replace the student member of the board for certain cases that require additional training or involve sensitive student information. Any alterations to the typical board composition will follow the same notification procedure.

K. Notice of Hearing
The hearing board chair will provide notice of the hearing, transmitted either through a university-recognized medium or personal delivery to the respondent. The notice will set forth the date, time and place of the alleged violation, the conduct in question, and the date, time and place of the hearing before the student conduct hearing board. The respondent will be informed that an advisor may accompany the respondent to the hearing. The student must notify the student conduct hearing board chair if an attorney is chosen as an advisor to allow the university’s attorney to also be present. Failure by the respondent to have a current local address on record with the university or to access notifications transmitted through a university-recognized medium shall not invalidate the notice. The notice shall be given at least five (5) consecutive calendar days prior to the hearing, unless a shorter or longer time is fixed by the chair for good cause. Any request for continuance shall be made in writing to the chair, who has the authority to reschedule the hearing if it is determined the request is timely and for good cause.

If a new hearing must be set for either the failure of the respondent to show or for a continuance, the chair will notify the student conduct administrator and the respondent of the new date for the hearing. Failure to appear for the newly scheduled hearing will lead to the case being heard in absentia (without the student being present) and holds placed on the student’s account. Holds will remain in place at least until the student contacts the student conduct administrator to receive case resolution information or until any sanction has been completed.

Appeals to student conduct findings and/or sanctions must be filed within five (5) business days of the student conduct authority’s decision as outlined in the appeal section of these procedures.

L. Role of the Chair in Hearings
The chair manages the hearing according to the procedures outlined in this document and ensures it is conducted in a manner consistent with the ascertainment of the truth and the orderly process of justice. Each person in attendance is expected to exhibit proper dignity, courtesy, and respect. The chair may dismiss any person from the hearing who interferes with or obstructs the hearing or fails to abide by the rulings of the chair.

Procedural questions which arise during the hearing not covered by these general rules shall be determined by the chair, whose ruling shall be final unless the chair presents the question to the
committee at their request, in which event the ruling of the committee by majority vote shall be final. The chair may also seek guidance from the general counsel prior to or during the hearing on procedural issues.

M. Role of the Student Conduct Administrator
In serving both the student conduct hearing board and the respondent, the role of the student conduct administrator is impartial and supportive in nature and there is no involvement in the final determination of the board. The student conduct administrator provides a summary of the case and initial investigations and can also be called to testify about the outcomes of previous similar cases and the conduct background of the respondent for consideration by the student conduct hearing board for sanctioning if the student is found responsible for a violation of the student code of conduct.

N. Order of Proceedings
The student conduct hearing board chair will preside at the hearing, determine the presence or absence of the respondent, verify the receipt of notices of charges by the respondent, call for or report any continuances (rescheduling) requested or granted, determine the presence of any advisor of the respondent and explain any special or extraordinary procedures to be employed during the hearing. The hearing will be recorded in either voice or video format.

The student conduct administrator will begin the process by presenting a general overview of the case to the board outlining the basic nature of the case, the types of evidence to be used, and the findings of any investigation prior to the hearing. This information is prepared at the direction of the student conduct hearing board chair after a review of the initial report of the alleged incident. The student conduct administrator is not a part of the student conduct hearing board and serves to provide the board and the respondent with assistance in obtaining the information necessary for as full a hearing of the facts as possible.

The respondent can choose to make opening remarks after the student conduct administrator gives the overview or wait until any defense witnesses or evidence are presented. The respondent's advisor may advise the respondent, but may not participate in the hearing, for example by questioning witnesses or addressing the board.

The student conduct hearing board and the respondent may call and cross-examine witnesses and present evidence. The respondent may address the board and inspect and copy the board's findings and determinations. The respondent can, but cannot be required to, testify. Any person testifying, including the respondent, shall be subject to cross-examination, subject to other provisions specified in this policy.

The respondent will be afforded an opportunity to obtain necessary witnesses and documentary or other evidence. The student conduct administrator will assist in securing the cooperation of witnesses. The student conduct administrator cannot compel other students to appear at a hearing but can assist students being called as witnesses with class absence notifications when necessary. The student conduct administrator will make available any necessary documents and other evidence within the university’s control, to the extent allowed by law. Depending on the nature of the evidence, it may be made available to the respondent during normal university business hours but not released to the respondent and/or in an alternate format such as a photograph or recording.
The hearing is meant to be an exchange of information and a presentation of facts and evidence by witnesses having direct knowledge of the alleged infraction. The student conduct hearing board chair may limit the number of, or disallow completely, character witnesses that have no knowledge of the alleged incident. Witnesses are called beginning with those the student conduct hearing board requested. The board members and the respondent may both ask questions.

The board chair may direct the respondent to direct questions to the chair to be asked on the respondent’s behalf at the chair’s discretion. When this process is completed, the respondent may call any witnesses or present any additional evidence or information relevant to the current complaint.

After all witnesses and evidence has been presented, the respondent may make a closing statement, if desired. The chair may then call on the student conduct administrator for a range of sanctions for the alleged infraction. At this time, the student conduct administrator, the respondent, and any advisor are excused, the recording stopped, and the student conduct hearing board analyzes the information gathered, determines what it believes are the facts of the case, renders a finding of responsible or not responsible, and an appropriate sanction, if necessary. These findings are to be delivered to the student conduct administrator within 3 business days where an outcome letter will be prepared for the respondent. The respondent may appeal the decision within five (5) business days of the date of the letter of findings as outlined in the appeal section of these procedures.

Hearings are closed to the public. The general counsel may be consulted in procedural matters of the student conduct hearing board and may be present at hearings. All information presented in the hearing is confidential and restricted to only those who have an absolute need to know.

O. Hearing Procedures with a Reporting Party
When a hearing is held with a student reporting party, the process will follow the general pattern of the regular hearing in this manner:

- a. Summary of the case and initial investigations by the student conduct administrator
- b. Opening statement by the reporting party (five minutes)
- c. Opening statement by the respondent if the respondent chooses (five minutes)
- d. Presentation of witnesses and evidence by reporting party
- e. Presentation of witnesses and evidence by respondent
- f. Closing statement by the reporting party (five minutes)
- g. Closing statement by the respondent if the respondent chooses (five minutes)

The burden of proof is by a preponderance of the evidence. Cross-examination of the witnesses is allowed by both parties. In cases of alleged victimization, the parties shall not be permitted to directly question each other. The student conduct hearing board is permitted to question the parties and/or witnesses at any time during the proceeding. At the conclusion of the reporting party’s closing statement, the student conduct administrator, the reporting party, the respondent, and any advisors are excused, the recording stopped, and the student conduct hearing board analyzes the information gathered, determines what it believes are the facts of the case, renders a finding of responsible or not responsible, and an appropriate sanction, if necessary. These findings are to be
delivered to the student conduct administrator within three (3) business days where an outcome letter will be prepared and sent to the respondent and the reporting party to the extent allowed by law and to the Title IX and/or ADA coordinator as appropriate. Any appeal to the board’s decision must be made within five (5) business days of the date of the letter of findings as outlined in the appeal section of these procedures.

Hearings are closed to the public. The general counsel may be consulted in procedural matters of the student conduct hearing board and may be present at meetings. All information presented in the hearing is confidential and restricted to only those who have an absolute need to know.

In addition to the procedures outlined elsewhere, the following will also apply:

a. Both the respondent and the reporting party will receive the notice of the hearing.
b. Both the respondent and the reporting party will have the right to challenge a board member’s participation based on known facts that would impact impartiality or conflict of interest. This selection must be made prior to the hearing, within one day of receiving the notice.
c. Both the respondent and the reporting party have the right to have an advisor present.
d. Both the respondent and the reporting party may ask for a continuance.
e. Both the respondent and the reporting party will have the same opportunity to obtain witnesses and evidence and have the assistance of the university as described.
f. Both the respondent and the reporting party will have the right to testify or refuse to testify.
g. Both the respondent and the reporting party will have opportunity to cross-examine all witnesses and are subject to cross-examination if choosing to give testimony. An intercom or other remote audio or video device may be used in hearings to allow a reporting party to testify and respond to questions and cross-examinations without face-to-face contact with the respondent.
h. Both the respondent and the reporting party will have the ability to submit a written response to the charges.

P. Appeal Procedures

Students have one level of appeal for every student conduct case. The final appellate authority shall be the vice president for university affairs or his/her designee. There shall be two grounds for appeal. The first is appealing the findings of responsibility and the second is an appeal of the sanction received. Respondents sanctioned under this policy for violation of the Sexual Misconduct policy (2.13) may only appeal the sanction(s) administered under this policy.

Appeal of the Findings of Responsibility

The respondent may appeal the finding of responsibility to the dean of student affairs. The student must file a signed and dated written appeal in the Office of the Dean of Student Affairs no later than 5 p.m. the day of the deadline. The written appeal must contain: the respondent’s university identification number, date of the disciplinary action being appealed, the nature of the charges, the grounds which merit an appeal, any extenuating circumstances the respondent wishes to have considered and a request(s) to continue to reside on campus and/or attend classes during the appeal process.
Appeal of the Sanction
The respondent may accept the finding of responsibility and appeal the sanction to the vice president for university affairs or his or her designee. The signed and dated written appeal must be filed in the Office of the Dean of Student Affairs no later than 5 p.m. the day of the deadline. The written appeal must contain the respondent’s university identification number, date of the disciplinary action being appealed, the nature of the charges, the grounds which merit an appeal, any extenuating circumstances the respondent wishes to have considered and a request(s) to continue to reside on campus and/or attend classes during the appeal process.

Q. Confidentiality and Records
All hearings and records (written, electronic, audio or video recording, etc.) pertaining to hearings will be considered education records and will be treated as designated by current law. Student conduct records are kept for two years beyond a student’s final enrollment at the university. Records for cases where a student has been suspended or expelled are held permanently. Disciplinary actions are not noted on a student’s academic transcript.

There will be no disclosure of file contents outside of the university without the written permission of the student, unless required or allowed by law. Disclosure within the university is limited to those employees having legitimate need of the information to conduct university business. Incident reports are generally not released to students to protect the privacy rights of other students involved in the incident. A student may make a written request for a personal copy of their incident report and receive a redacted copy. Disclosure to victims of violent crimes, nonforcible sex offenses or other offenses with reporting requirements will be handled according to current law.

Hearings are audio and/or video recorded. All hearings are closed to the public.

R. Rights of Students in Disciplinary Proceedings
The rights outlined below will be accorded to any student in an administrative disposition or hearing for an alleged violation of the student code of conduct. Both respondent and reporting party shall have the same rights under this Student Code of Conduct unless additional rights are provided to either party under the law.

a. to be present at the hearing;
b. to meet with the student conduct administrator to discuss the disciplinary process;
c. to submit a written account of the alleged incident;
d. to be advised of the date, time and location of the disciplinary hearing, and to request rescheduling (a continuance) for good cause;
e. to be present at the hearing and to be accompanied by an advisor of the student’s choosing during the hearing process, although the advisor will not be permitted to speak for the student during the hearing;
f. to testify at the hearing;
g. to decline to testify, with knowledge that all relevant evidence will be considered and the alleged violation adjudicated;
h. to hear or examine evidence presented against the respondent;
10.4 Student Code of Conduct

i. to have and cross-examine witnesses, as specified in this policy;

j. to make any statement in mitigation or explanation of the conduct in question;

k. to be informed in writing of the finding and any sanction imposed to the extent allowed by law;

l. to appeal the finding and/or sanction to the proper authority;

m. to waive hearing deadlines as outlined in these procedures.

S. Additional Rights of Reporting Parties in Disciplinary Proceedings Involving Victimization

Some actions that violate university policy involve victimization of one or more students by another student(s). This behavior may include physical violence and other acts that endanger the safety of others in the university community. Individuals initiating a complaint involving victimization or respondents in these cases are entitled to certain rights during the disciplinary process. Cases involving victimization defined as sexual misconduct will be investigated according to university policy 2.13 (Sexual Misconduct).

If a complaint is filed with the student conduct administrator, it is important to remember that the respondent is being charged with violating a university rule or regulation; therefore, the university is ultimately responsible for investigating, initiating charges, imposing sanctions if the respondent chooses to admit the violation, implementing the hearing process, and determining sanctions following a finding of responsibility. Although a reporting party’s input may be sought during the disciplinary process, the ultimate disposition of the case rests with the university. If a reporting party withdraws a complaint during the course of the disciplinary proceeding, the university reserves the right to proceed with the case on the basis of evidence other than the testimony of the reporting party.

During the course of a disciplinary proceeding, a reporting party in cases involving victimization has the following rights:

a. to meet with the student conduct administrator to discuss the disciplinary process;

b. to have reasonable assistance from the university in remediating any situation where the victim must be in contact with the respondent, such as a change in residence hall or course section assignment or restrictions on entering specific buildings or attending certain events;

c. to make an impact statement, either in person or in writing, to the student conduct hearing board for consideration during the sanctioning phase;

d. to know the outcome of the process as allowed by laws related to the particular incident.

T. Penalties

Admonition: is a warning.

Conduct Probation: is for a specified period of time and requires that a second offense will result in disciplinary probation or suspension.
**Disciplinary Probation:** is for a specified period of time and may carry with it other conditions to be met (e.g., restriction of participation in extracurricular activities, holding student office, pledging or joining campus organizations).

**Special Action:** is a sanction designed to enhance the educational intent of the disciplinary process. Examples of sanctions include the requirement of a special program or class (the cost of this program will be paid by the student), removal from university housing, payment of damages, extracurricular activity restrictions, community service, educational sanctions, counseling referrals, removal from any class or program, or restrictions on enrollment in any class or program.

**Suspension of an Individual:** is a bar from attending the university for a specific period of time and begins at the date and time specified by the student conduct authority considering the case. A suspension also carries with it the following conditions:

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

**Suspension of a Student Organization:** is loss of university recognition for a specified period of time as outlined in university policy 10.9 (Student Organization Formation and Recognition). Student organizations are required to cease all activities during the specified period. Student organizations that continue to function during the suspension will be considered in violation of their suspension. Special Actions may also be attached to the suspension to enhance the educational intent of the disciplinary process. Suspended student organizations must submit a new application as an organization at the end of the suspension period.

**Expulsion:** is a permanent bar from attending the university whereby the student is not eligible for readmission to the university and begins at the date and time specified by the student conduct authority considering the case. An expelled student’s status will also carry the following conditions:

- A. The expelled student must remain off the campus, except when summoned by a university official or when an appointment with an official has been arranged in advance.
- B. A student under expulsion may not live or board in university facilities.

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

**Interim Suspension:** The student conduct authority may, with the approval of the vice president for university affairs, suspend a student for an interim period pending disciplinary proceedings when there is evidence that the continued presence of the student on the university campus poses a substantial threat of harm or bodily injury, damage to property, or threat to the stability and continuance of normal university functions. The student conduct authority may provide for the interim suspension to become immediately effective without prior notice to the student. However, the student conduct authority shall provide notice to the student at the first reasonable
opportunity.

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

A. the reliability of the information concerning the student’s conduct, including the matter of his/her identity;
B. whether the conduct and surrounding circumstances reasonably indicate that the continued presence of the student on the university campus poses a substantial threat of harm or bodily injury, damage to property, or threat to the stability and continuance of normal university functions.

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

U. Status during Appeal
In cases of suspension or expulsion where an appeal is filed within the required time, a respondent may petition the Office of the Dean of Student Affairs in writing for permission to continue to reside on campus and/or attend classes pending final determination of the appeal. The officer may permit either of these requests under such conditions as may be designated pending completion of appellate procedures, provided such continuance will not seriously disrupt the university or constitute a danger to the health, safety or welfare of the university community.

ARTICLE IV: NON-DISCRIMINATION, INTERPRETATION AND REVISION

Decisions under this policy will be made based on observations of a student’s conduct, actions and statements and not on the basis of a student’s race, color, religion, national origin, sex, age, disability, genetic information, citizenship, veteran status, sexual orientation, gender identity, or gender expression.

Any question of interpretation or application of the Student Code of Conduct shall be referred to the vice president for university affairs or designee for final determination.

The Student Code of Conduct shall be reviewed annually under the direction of the vice president for university affairs or designee.

Cross Reference: Fraud (2.7); Discrimination Complaints (2.11); Sexual Misconduct (2.13); Student Academic Dishonesty (4.1); Computing Software Copyright (9.1); Digital Millennium Copyright (9.3); Hazing (10.3); Students Displaying Serious Psychological Problems (10.13); Annual Disclosure of Crime Statistics (13.3); Computer and Network Security (14.2); Illicit Drugs and Alcohol Abuse (13.11); Firearms Explosives and Ammunition (13.9)
**Responsible for Implementation:** Vice President for University Affairs

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

**Forms:** None

**Board Committee Assignment:** Academic and Student Affairs
Policy Name: Student Employment

Policy Number: 10.6

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

Date of last revision, if applicable: 4/15/2015

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

Purpose of Policy (what does it do): The policy outlines the requirements for hiring students as student assistants or under the College Work Study (CWS) program.

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

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: Policy was updated to reflect formal name of the Office of Student Financial Assistance and to outline current practices. All other changes were grammatical or formatting changes.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Loretta Doty, Director of Human Resources
H. Rachele’ Garrett, Director of the Office of Student Financial Assistance
Danny Gallant, Vice President for Finance and Administration
Damon Derrick, General Counsel
Student Employment

Original Implementation: June 18, 1987
Last Revision: April 14, 2015 July 24, 2018

Purpose

This policy pertains to outlines the requirements for hiring students employed in student assistant positions and/or college work-study student assistant positions.

Definitions

College work-study (CWS) is a federal or state funded program designed to provide financial aid to those students choosing to earn a portion of their educational expenses. The Office of Student Financial Assistance determines the student’s eligibility for CWS employment in accordance with established federal guidelines.

General

Students seeking on-campus employment may view on-line jobs at https://careers.sfasu.edu. Students must apply online and the hiring department will arrange an interview.

All students employed by the university are required to complete new paperwork and trainings an orientation process provided by human resources before their first day of employment. If students have not worked on campus previously, they should also attend training provided by the Center for Career and Professional Development. It is the employing department's responsibility to ensure that all new student assistants report to human resources for paperwork processing and, if applicable, complete training at the Center for Career and Professional Development before they begin work. If students have not worked on campus previously, they should attend training provided by career services in the Rusk Building. It is the responsibility of the department to make sure the student workers attend this training. Once the necessary employment forms and trainings have been completed, the student may be authorized to work on campus. Students working in college work-study positions must obtain authorization from the financial aid office each semester they intend to work.

Student Assistant Employment

The hiring department will complete an electronic personnel action form (EPAF) to set up the student’s job assignments. Rate changes and new account assignments must also be completed on an EPAF. Terminations from employment with the university and the ending of a job assignment are also documented through completion of the proper EPAF.

Student employees assistants may not exceed 115 total working hours per month (approximately
26.5 hours per week). This limitation applies to all semesters, and includes the dates between the semesters, including summers and holidays. Exceptions must be reviewed and approved by human resources. Total working hours are any hours worked and owed compensation as defined by the Fair Labor Standards Act (FLSA). Total working hours may not exceed forty (40) hours in one week.

To be eligible for on-campus employment during the fall or spring semesters as a student assistant, a student must carry six (6) or more semester hours. It is the employing department's responsibility to ensure that student assistants are enrolled for the required number of semester hours. SFA student assistants enrolled for 1-5 academic hours must be approved by the dean of student affairs, as indicated on the Departmental Approval to Work While Enrolled for Fewer Than 6 Hours form. This form may be found on the student employment page of the human resources website. During the summer, student assistants must be enrolled for three (3) or more hours of coursework or be registered for courses in the upcoming fall semester to be eligible for student assistant summer employment.

Departments should contact human resources if they have questions concerning an appropriate pay rate. Students should be paid no less than minimum wage and no more than $15.00 per hour. If a department wants to set up an internal pay structure for their department, they may contact human resources for assistance.

Job vacancies requiring services of SFA students should be posted at https://careers.sfasu.edu for at least three days before the employing department recommends appointment of a candidate to fill the opening. In order to be considered an applicant for a student position, students must apply online. It is the employing department’s responsibility to notify human resources immediately when the job is filled. A department may request to waive the requirement of posting a student position in unique circumstances by contacting the director of human resources in writing. Approval of such exception is authorized by the director of human resources or their designee.

**College Work Study Employment**

College work-study (CWS) is a federal or state funded program designed to provide financial aid to those students choosing to earn a portion of their educational expenses. The financial aid office determines the student's eligibility for CWS employment in accordance with established federal guidelines. Departments allocated CWS funds should be aware of the following procedures:

The college work-study program is a form of student employment and is subject to the conditions outlined above. *Students working in college work-study positions must obtain authorization from the Office of Student Financial Assistance each semester they intend to work.*

To be eligible for the CWS program, the student must first complete the financial aid application for need-based aid, the *Free Application for Federal Student Aid (FAFSA)* by the established deadline.
If the results of the need analysis indicate the student is eligible for CWS, and the student expresses an interest in the program, the financial aid office will make the award accordingly.

The student must reapply for CWS each academic year. If the student wishes to be employed through the CWS program in the summer, he/she must request that the financial aid office Office of Student Financial Assistance review his/her file for eligibility in the preceding spring semester. Students in the CWS positions, who are enrolled in less than six hours in the summer, must have a FAFSA on file for the proceeding academic year in order to be awarded summer work study. These students must complete a Summer Work Study form in the Office of Student Financial Assistance. These students must also meet the Office of Student Financial Assistance satisfactory academic progress policy.

Before beginning employment, each student must present to the employing department a copy of their current year award notification from their MySFA account. This notification will indicate the maximum amount of money the student may earn during a given semester(s) of employment by the university on a college work-study account. It is important to note that this amount is the maximum amount that can be paid from a CWS budget. It is the employing department's responsibility to control the hours worked by the CWS personnel to be absolutely certain that the student does not earn more than the amount of money allowed from CWS funds. The student must accept the work-study award before he/she can accept a work-study position.

Federal regulation specifies that work-study students cannot work during their regularly scheduled class hours. It is the responsibility of the employing department to ensure that working hours do not conflict with a student’s class time. This can be determined by comparing the time clock entries with the student’s class schedule. If after review by the financial aid office Office of Student Financial Assistance it is determined that a student has worked during regularly scheduled class hours, wages for those hours cannot be paid from college work-study funds but will have to be paid by the employing department.

Once the student has earned the total amount of his/her CWS award, the department must prohibit the student from being paid from their CWS account. At that time the department may choose to either pay the student worker out of their departmental account as a “student assistant” or terminate the student employee. If terminated, the department must complete an EPAF to make this change.

It is recommended that departments do not employ CWS students on their CWS funds and department accounts simultaneously. They should first exhaust their CWS allotment funds and then appoint the student to their departmental account.

A fall award notification allows the student to work from August through December. A spring award notification allows the student to work from January through May. A summer award notification allows the student to work from May through August. The division between the summer sessions is determined by the university’s summer calendar. Exact dates vary from year
to year and are determined by the financial aid office. 

If questions arise concerning the college work study program, call the financial aid office.

Student assistants may not hold any other position such as a graduate assistantship or temporary casual employment at the same time they are employed as a student assistant or work study assistant.

**International Student Employees**

International students working on campus must provide sufficient documentation validating work authorization. Federal regulations limit international student employees to 20 hours per week while classes are in session (fall and spring semesters). International students will not be allowed to work until they have a social security number. Questions about documentation and identification requirements may be answered by human resources.

**Graduate Assistantships**

Employment authorization and processing of graduate assistants goes through the human resources office and the graduate office.

**Nepotism**

University policy regarding nepotism applies to student employment. See Nepotism (11.16).

**Cross Reference:** Nepotism (11.16); Immigration Reform and Control Act of 1986, Pub. L. No. 99-603, 100 Stat. 3359; 42 U.S.C. §§ 2751-2756 (b) 1087-51 – 1087-58; 8 C.F.R. § 214.2(f); 34 C.F.R. § 675.20(c)

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

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

**Forms:** Departmental Approval to Work While Enrolled for Fewer than 6 Hours (online), I-9 Form, I-20 Form, I-94, W-4 Form (human resources).

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

Policy Name: Wireless Networking

Policy Number: 14.11

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

Date of last revision, if applicable: 7/24/2018

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

Purpose of Policy (what does it do): The policy defines ownership and responsibilities for the wireless networking at the university.

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

□ Internal Review  □ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: No substantive changes; the policy was edited for clarity.

Specific rationale for deletion of policy:

Additional Comments:

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Reviewers:

Brandon Stringfield, Information Security Officer
Mike Coffee, Assistant Director Telecommunications and Networking
Anthony Espinoza, Chief Information Officer
Dr. Steve Westbrook, Vice President for University Affairs
Damon Derrick, General Counsel
Wireless Networking

Original Implementation: February 3, 2005
Last Revision: July 28, 2015
July 24, 2018

Purpose

Stephen F. Austin State University’s (SFA’s) wireless local area network (LAN) enables wireless computing and provides reliable and secure network services in many locations on campus. It is a complementary system to the campus wired network.

Scope

This policy applies to all uses of wireless LAN technologies at all physical locations of SFA, both inside buildings and in outdoor areas. It does not apply to cellular wireless technology.

All SFA wireless LAN policies will comply with university, federal, state, and local laws and regulations.

Responsibilities

Information Technology Services is responsible for implementing wireless LAN technology in compliance with campus network standards and also for resolving radio frequency interference issues. These responsibilities include, but are not limited to:

- being the primary provider of design, specification, installation, operation, maintenance, and management services for all wireless access points;
- managing all SFA-owned wireless equipment;
- servicing wireless access points, i.e., the service demarcation points, and the wired network to which they are attached; and
- identifying and authenticating all users connecting to the wireless LAN.

Individuals may not install or operate wireless access points on university-owned property, including residence halls and apartments.

Access

All SFA faculty, staff, and students are required to have a valid user identification and password to use the wireless LAN. Any employee of the university can sponsor a guest on the wireless network using the self-service application provided by Information Technology Services.

Security
All wireless access points and wireless client adapters will use a Service Set Identification provided by Information Technology Services to access any wireless LAN provided by SFA. SFA will encrypt all data.

**Sanctions for Policy Violations**

Applicable university discipline and/or discharge policies will be followed in imposing sanctions related to a violation of this policy, including limiting a user’s access. 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. If such facilities are unavailable, the user bears the responsibility for failure to complete requirements for course work and/or job responsibilities.

**Cross Reference:** Computer and Network Security (14.2); Use of Electronic Information Resources (16.32); Computing Software Copyright (9.1); Digital Millennium Copyright (9.3); Texas Information Resources Management Act, Tex. Gov’t Code Ch. 2054; 1 Tex. Admin. Code §§ 202.70-.76; Tex. Penal Code Ch. 33.

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

**Contact for Revision:** Chief Information Officer

**Forms:** None

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

Policy Name: Energy Conservation

Policy Number: 16.10

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

Date of last revision, if applicable: 7/28/2015

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

Purpose of Policy (what does it do):

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

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

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: Addition of policy purpose and definitions for clarity; other minor wording changes.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Ron Watson, Director of Physical Plant
Danny Gallant, Vice President for Finance and Administration
Damon Derrick, General Counsel
Energy Conservation

Original Implementation: December 4, 1987
Last Revision: July 28, 2015 July 24, 2018

Purpose

This policy establishes that the university supports, and is committed to, the statewide energy conservation effort of the Texas governor’s office, the General Appropriations Act and Government Code Section 447.004.

Definitions

Energy conservation is achieved by the university has and will continue to maintaining the most efficient operation of all utilities and equipment through by the operation of an automated energy management system, replacement of HVAC/Electrical equipment in a timely and cost efficient manner, and a review of building operation, usage, and schedules.

General

The university’s intent is to maintain efficient operation of all utilities and equipment, using appropriate operational schedules. It is the intent of the university to serve its academic and auxiliary needs with cooling and heating requirements based on approved operational schedules. The automation system is programmed to help achieve operational efficiency, and any system programming that changes system automation during normal operating periods meet needs and any significant requirements not included in normal operations must be approved by the director of the physical plant prior to changes being made.

The Physical Plant Department will coordinate all local utility power shortage problems with the local energy supplier. Institutional issues that arise from utility outages will be coordinated by the physical plant through the vice president for finance and administration.

Outside groups or individuals that use university facilities may be charged a utility usage fee to cover additional utility expenses. The amount of the fee will be determined by the Physical Plant Department and approved by the vice president for finance and administration.

Cross Reference: General Appropriations Act; Tex. Gov’t Code § 447.004

Responsible for Implementation: Vice President for Finance and Administration
Contact for Revision: Director of Physical Plant

Forms: None

Board Committee Assignment: Building and Grounds
Policy Name: Fleet Management

Policy Number: 16.11

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

Date of last revision, if applicable: 7/28/2015

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

Purpose of Policy (what does it do):

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

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

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: Only minor organizational and wording changes.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Ron Watson, Director of Physical Plant
Danny Gallant, Vice President for Finance and Administration
Damon Derrick, General Counsel
Fleet Management

**Original Implementation:** January 30, 2001  
**Last Revision:** July 24, 2018

**Purpose**

This policy affirms that the university, Stephen F. Austin State University (SFA), has adopted a Fleet Management Plan mandated by House Bill 3125 of the 76th Texas Legislature. The fleet of vehicles owned and operated by SFA shall follow guidelines set forth by government and private sector fleet "best practices" intended to increase state use and efficiency, reduce maintenance, and reduce operating costs.

**Definitions**

SFA manager of transportation shall serve as **fleet manager** and reporting official and shall be responsible for observation and implementation of agency fleet management policies and procedures. Responsibilities of the fleet manager include, but are not limited to: vehicle purchasing, replacement, and disposal; vehicle maintenance and repair; and vehicle assignment and use.

The Physical Plant Department transportation shop shall serve as the SFA **motor pool** and shall have responsibility for maintenance, repairs, records, and alternative fuel location for all campus vehicles. The fleet manager shall assign and meet with campus area coordinators to administer departmental vehicles and comply with reporting requirements of the state’s Office of Vehicles and Fleet Maintenance Management (OVFM).

**General**

The fleet manager shall develop vehicle-replacement criteria and shall notify a department when one of its vehicles meets the replacement criteria. Requests for vehicle replacements are the responsibility of each department and shall be considered during the annual budget process begun on a date following the date of notice.

Mandatory fueling requirements for SFA vehicles include use of state retail fuel contracts, self-service or central fueling facilities, use of regular unleaded gasoline, and use of alternative fuels (where appropriate).

The number of vehicles in the SFA fleet is capped at state approved levels. Replacements are subject to the departmental vehicle-replacement schedule. Exceptions will be considered for legislatively mandated program changes, federal program initiatives, or documented needs resulting from program growth or changes. The SFA president's approval is required for exceptions.
Fleet operations are subject to minimum use criteria, vehicle-operator training and driver certification requirements, vehicle-disposal procedures, preventive maintenance and warranty tracking, safety and accident reporting procedures, and standardized safety-inspection, and registration renewals.

Operators of university-owned vehicles are required by the Texas Government Code and university policy to report daily use of the vehicles. Failure to produce timely reports, as defined by fleet management procedures, may result in financial penalties or loss of university vehicle privileges.

Cross Reference: State Office of Vehicle and Fleet Management Regulations; House Bill 3125, 76th Texas Legislature; Tex. Gov’t Code § 2171.101 et seq.; Rental of University Vehicles (16.23)

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Director Of Physical Plant

Forms: None

Board Committee Assignment: Building and Grounds
POLICY SUMMARY FORM

Policy Name: Lease, Rental or Use of Off-Campus Facilities

Policy Number: 16.15

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

Date of last revision, if applicable: 7/24/2015

Unit(s) Responsible for Policy Implementation: President

Purpose of Policy (what does it do): This policy prescribes the requirements to lease off-campus facilities

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

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

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: For clarity and readability, procedures have been removed and pertinent information collapsed into the main section of the policy. An inspection requirement has been removed due to the possibility of facilities being located across the state.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Jeremy Higgins, Environmental Health, Safety and Risk Management
Ron Watson, Physical Plant
Danny Gallant, Vice President for Finance and Administration
Damon Derrick, General Counsel
Stephen F. Austin State University recognizes the significance of diligence in its efforts to ensure the safety of employees and students when utilizing off-campus facilities for university-sponsored events. This policy governs the use of private, off-campus facilities for short-term university-sponsored events such as off-campus leadership seminars, conferences or retreats involving students, faculty or staff, and other similar events. The policy additionally governs the use of private, off-campus facilities for long-term leased facilities utilized by campus departments and offices.

Private facilities providers are required to address fire safety requirements, meet the prevailing local fire code, and have been inspected for fire safety. In the absence of a local fire code, the Life Safety Code (NFPA 101, latest edition) shall be applied as the minimum standard for fire safety. Off-campus facilities utilized for long-term leases must additionally meet ADA accessibility requirements and be inspected by Physical Plant prior to leasing the facilities. Contracts with private facilities providers should be secured for each university-sponsored event and long-term facilities lease, and each private facilities provider will be required to sign an Off-Campus Facilities Contract Addendum to attach to the contract. The Office of the General Counsel shall review each contract for approval prior to forwarding it to the president for signature. Copies of long-term leases shall be provided to and maintained by the Procurement & Property Services Department. The originating department/office shall notify Procurement and Property Services of the address of the leased facilities and any property that will be transferred to the leased facilities, and Environmental Health, Safety and Risk Management for notification of university insurance carriers, as applicable. A copy of each facility contract and addendum will be maintained by the originating department/office in accordance with the university’s records retention schedule or for a period of two years after the termination of the contract, whichever is later.

Pyrotechnics are not allowed on university-leased premises unless specifically approved in writing by the president. Additionally, items containing potentially sensitive, private or confidential information are not to be stored in any leased premises unless specifically authorized in writing by the president. These items include but are not limited to computers, electronic or digital storage devices, and paper documents. Certain off-campus facilities may lack the security necessary to protect such sensitive information.

Procedures for Off-Campus Facilities Use (Short term University Sponsored Event):

Original Implementation: July 15, 2003
Last Revision: July 28, 2015 July 30, 2018
1. Department/office sponsoring the off-campus event will secure a contract with the private facility provider for the event. An Off-Campus Facilities Contract Addendum will be signed by the private facility provider and attached to the contract.

2. The private facility provider contract, together with the required Off-Campus Facilities Contract Addendum will be forwarded to the Office of the General Counsel for approval. Upon signature by the president, the original contract and attached addendum will be returned to the originating department/office for retention.

3. The fully signed contract and addendum will be maintained by the department/office sponsoring the off-campus event for a period of two years after the date of the event.

Procedures for Off-Campus Facilities Use (Long-term Lease):

1. Department/office leasing the off-campus facility will secure a contract/lease agreement with the private facility provider. An Off-Campus Facilities Contract Addendum will be signed by the private facility provider and attached to the contract/lease agreement.

2. Before processing a contract/lease agreement, the department/office leasing the off-campus facility will contact the director of Physical Plant and request an inspection of the facility. Results of the inspection will be provided to the Office of the General Counsel.

3. The private facility provider contract, together with the required Off-Campus Facilities Contract Addendum, will be forwarded to the Office of the General Counsel for approval. Upon signature by the president, the contract and attached addendum will be returned to the originating department/office for retention.

4. The contract and addendum will be maintained by the department/office leasing the off-campus facility in accordance with the university’s records retention schedule.

5. Department/office will notify Environmental Health, Safety and Risk Management of the location of the leased facility for notification of university insurance carriers, as applicable. Procurement and Property Services must also be notified of any property that will be transferred to the leased facility and any applicable procedures followed.

6. Items containing potentially sensitive, private or confidential information are not to be stored in any leased premises unless specifically authorized in writing by the president. These items include but are not limited to computers, electronic or digital storage devices, and paper documents. Certain off-campus facilities may lack the security necessary to protect such sensitive information.

Cross Reference: None

Responsible for Implementation: President

Contact for Revision: General Counsel
Forms: Off-Campus Facilities Contract Addendum

Board Committee Assignment: Building and Grounds
POLICY SUMMARY FORM

Policy Name: Rental of University Vehicles

Policy Number: 16.23

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

Date of last revision, if applicable: 7/28/2015

Unit(s) Responsible for Policy Implementation: Director of Physical Plant

Purpose of Policy (what does it do):

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

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

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: Minor word changes.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Ron Watson, Director of Physical Plant
Danny Gallant, Vice President for Finance and Administration
Damon Derrick, General Counsel
Rental of University Vehicles

Original Implementation: June 1, 1984
Last Revision: July 28, 2015 July 24, 2018

Purpose

This policy establishes guidelines for university vehicle rental. Vehicles that may be rented by university departments are available through the Physical Plant Department or the Parking and Traffic Office.

General

The rental and use of University motor vehicles may only be for official university business.

A. Reservations

Vehicles will be rented exclusively to university employees, departments, or organizations that have budgeted university funds.

All vehicles, except road buses, are rented on a first-come, first-served basis.

Those who rent university vehicles must act on behalf of their university department or organization and have a driver certificate issued by the University Police Department. Those who rent university vehicles are responsible for compliance with minimum occupancy requirements and other university policy and procedural requirements.

Cancellations should be made as far in advance as possible.

B. Passengers

Passengers in university vehicles will normally be university employees or students traveling on university business.

Passengers who are not university employees or students may be authorized to ride in university vehicles when their presence is consistent with university business or functions. University employees or students may have authorized guest(s) such as spouses or children accompany them while the university employee or student is traveling on university business provided:

- the non-university passenger/guest does not interfere with the university business of the trip or cause any additional expense to the university;
- the department sponsoring the trip that the guest(s) are attending has been advised in advance of the trip that non-university passengers will be traveling in university vehicles;
- if the non-university passenger/guest is a minor child, the parent is responsible for the child's actions and is responsible for ensuring that the child follows all safety policies and regulations including wearing seat belts or child restraints;
- non-university passengers will not be covered by university insurance for medical treatment, unless there is legal liability, which is covered by the general liability policy.
for university motor vehicles. Personal claims against the driver of another vehicle (non-university) for liability in any accident will be the responsibility of the non-university passenger. Passengers should carry personal medical insurance coverage in case of accident or emergency. The university does not assume liability for any passenger, unless otherwise imposed under law. University employees may be covered by Workers' Compensation for injuries received on-the-job; otherwise, personal medical insurance or applicable legal liability would apply. See the safety website for additional information.

Use of University Road Buses

University owned road buses provide transportation for university departments and groups. The guidelines in this section have been established to provide a fair and equitable manner for the scheduling of the buses and to generate sufficient revenue to pay for their operation and maintenance.

1. Authorized Trips. Only university groups and departments whose trips have received prior approval from the department head and/or dean may reserve the bus. A professional driver will be provided by the Physical Plant Department. The use of the bus is limited to those destinations that may be reached by hard surfaced roads.

2. Reservations. Application for the use of a university road bus shall be made to the director of physical plant or his designee. No reservation may be reassigned in whole or in part. The user may not delegate any control or responsibility to any other party without prior written approval of the director of physical plant. Furthermore, reservations for one trip may not be used for a different trip without the prior written approval of the director of physical plant.

3. Itinerary. A completed itinerary must be submitted to the transportation dispatcher at least 48 hours before departure. Examples of an appropriate itinerary and a template are available on the physical plant website.

The following priorities for use have been established:

- Athletic purposes will be given the first priority;
- Activities scheduled at least a year in advance that require maximum utilization of the buses shall receive second priority;
- All other requests will then be considered. In other cases, the following shall be considered: Where feasible, the use of the buses will be approved on a first-come, first-served basis. If simultaneous requests are received, then distance to be traveled and the number of passengers will be considered in determining priority. In cases of simultaneous requests when the number of passengers and distance are approximately the same, the trip providing the most benefit to Stephen F. Austin State University shall receive priority.

Use of University Shuttle Buses

University owned shuttle buses provide regular daily service on campus. Shuttle buses may be reserved for university business by university groups after hours and on weekends on a limited
first-come, first-served basis. Every effort will be made to provide fair and equitable scheduling of the shuttle buses and to generate sufficient revenue to pay for their operation and maintenance.

**Breakdowns and Accidents**

All accidents involving a university vehicle must be reported immediately to the appropriate law enforcement agency and the Physical Plant Transportation Department. Instructions for proper reporting and handling of accidents and breakdowns will be provided at the time of vehicle pick up and may also be found on the Transportation Department’s website.

In all cases in which a vehicle cannot be returned to the campus, the Physical Plant Transportation Department should be contacted during business hours or the University Police Department if during non-business hours.

The manager of transportation must arrange all major repairs.

Drivers involved in an accident will be required to submit to a drug and alcohol screening in accordance with Stephen F. Austin State University policy 11.6 on Drug and Alcohol Testing (11.6).

Departments using fleet vehicles will be charged for damages as the result of accidents or from abusive use.

The Environmental Health, Safety and Risk Management Department will contact the insurance adjuster, provide appropriate information, and act as general liaison in the event of an accident.

The university's insurance covers a driver's liability if he/she is:
- An approved university driver.
- Operating the vehicle in an official capacity.

**Charges**

Rates are established to generate revenue to pay for the operation and maintenance of the rental vehicles. In addition, all expenses, including meals and lodging for the professional driver(s) provided are the responsibility of the renting department. Refer to the physical plant website for current rates.

Fuel is furnished as part of the rental price of the vehicle if purchased on fuel cards provided at the time of the rental. Fuel purchases not using the provided fuel cards will be at the expense of the renting department. Any other purchases on the university fuel card are prohibited.

**Special Provisions**

- All drivers of buses must have a Class B-CDL license with a ‘passengers’ endorsement and submit to Department of Transportation physicals and drug baseline and random testing.
- All drivers must have a valid driver certificate issued by the University Police Department.
• Buses must carry at least 1/3 of their capacity.
• No alcoholic beverages will be allowed in state vehicles.
• In accordance with university policy on 13.21 Smoking, Vaping, and Use of Tobacco Products (13.21), smoking, vaping, and the use of tobacco products are prohibited in vehicles owned or leased by the university.
• Texting while operating a vehicle owned or leased by the university is prohibited. Use of electronic devices while driving a vehicle owned or leased by the university is subject to the Physical Plant Department Procedures for Rental of University Vehicles. The procedures may be accessed from the Physical Plant Department auto rental website.
• Individuals may lose privilege of using university vehicles if the vehicle(s) has been damaged during use or has been used in an unsafe or unauthorized manner.

15 and 12 Passenger Vans

All drivers of 15 and 12 passenger-type vans must be certified drivers with a van endorsement and be a minimum of 21 years of age. Exceptions to age limits for drivers may only be authorized by the Environmental Health, Safety and Risk Management Department. Drivers in a 15 or 12 passenger-type van shall not drive over a maximum of 65 miles per hour speed limit and all passengers must wear a seat belt as recommended by the State Office of Risk Management.

15 and 12 passenger-type vans with a short wheel base (140”) and higher center of gravity (Ford, Chevy, Dodge) are limited to nine passengers including the driver with a maximum of 50 lbs. of cargo/luggage or equipment or eight passengers including the driver with a maximum of 250 lbs. cargo/luggage. 12 passenger-type vans with a longer wheel base (170”) and a lower center of gravity (Freightliner Sprinters, etc.) may carry passengers and cargo loads in accordance with the manufacturer’s specifications. All passenger-type vans rented from a non-university fleet (Hertz, Enterprise, etc.) must follow the limitations specified in this policy.

Cargo and/or luggage inside the van must be stacked no higher than the top of the van seats and should be placed forward of the rear axle. All cargo is prohibited on the roof. Cargo is defined as, but not limited to, boxes, bags, packs, equipment, etc. 5-No trailer hitches may be installed on the vehicle. No towing of any kind is authorized.

Cross Reference: Drug and Alcohol Testing (11.6); Smoking, Vaping, and Use of Tobacco Products (13.21); Physical Plant Department Procedures for Rental of University Vehicles.

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Director of Physical Plant; Director of Environmental Health, Safety and Risk Management

Forms: None

Board Committee Assignment: Building and Grounds
POLICY SUMMARY FORM

Policy Name: Auditing a Course - Tuition and Fees

Policy Number: 3.3

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

Date of last revision, if applicable: 7/28/2015

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

Purpose of Policy (what does it do): Establishes that tuition and fees for auditing a course are the same as those for regular enrollment. Also states that financial aid generally cannot be applied to the charges related to auditing a course.

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

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: The policy purpose and definitions were added for clarity.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Dannette Sales, Controller
Danny Gallant, Vice President for Finance and Administration
Damon Derrick, General Counsel
Auditing a Course - Tuition and Fees

**Original Implementation:** October 18, 1980

**Last Revision:** July 24, 2018

**Purpose**

*This policy establishes guidelines for tuition and fees related to auditing a course.*

**Definitions**

**Auditing a course** allows a student to take a class without the benefit of a grade or credit for that course.

**General**

Tuition and fees for auditing a course shall be the same as tuition and fees paid by regularly enrolled students. Generally, financial aid (including exemptions and waivers) cannot be applied to the charges related to auditing a course, unless specifically allowed under the terms of a scholarship or grant.

**Cross Reference:** General Bulletin

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

**Contact for Revision:** Controller

**Forms:** None

**Board Committee Assignment:** Finance and Audit
Policy Name: Central Stores

Policy Number: 17.3

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

Date of last revision, if applicable: 7/28/2015

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

Purpose of Policy (what does it do):

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

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

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: Addition of policy purpose and definitions for clarity; other minor wording changes.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Ron Watson, Director of Physical Plant
Danny Gallant, Vice President for Finance and Administration
Damon Derrick, General Counsel
Central Stores

Original Implementation: Unpublished
Last Revision: July 28, 2018

Purpose

This policy establishes guidelines for university purchases from central stores and other activities related to using central stores’ services.

Definitions

Central Stores provides a supply of materials primarily to support maintenance activities. Additionally, a limited number of other items are provided to support instructional and administrative activities.

Purchases—General

Purchases from Central Stores will be completed allowed only upon presentation of a valid university account number, work order number, and authorized signature on the sales receipt. For information regarding orders, returns, delivery services, or stocking requests, please refer to the Central Stores procedures located on the Central Stores website.

Special items stocked at the request of a department that are not sold after a reasonable time (one year) will be charged to the requesting department and disposal of the items will be the responsibility of the requesting department.

Cross Reference: Central Stores Procedures

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Director of Physical Plant

Forms: None

Board Committee Assignment: Finance and Audit
Policy Name: Computer Purchase and Replacement

Policy Number: 17.4

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

Date of last revision, if applicable: 11/07/2016

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

Purpose of Policy (what does it do): The policy provides guidelines for the replacement of university computers.

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

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: The policy was edited to include an assessment component for the replacement of university computers. The policy was also revised to change the replacement cycle from 4 to 5 years for computers and workstations. Portable computers will remain on a 4 year assessment cycle due to a more limited life expectancy for portable computers. The policy was also updated to include language that replacement will no longer be automatic. Language was added to the policy that replacements must support the mission and goals of the university and efficiently utilize university funds. Language was also added that alternative technology solutions may be utilized in lieu of a physical computer.

Specific rationale for deletion of policy:

Additional Comments:
Reviewer:

Jason Lisenby, Manager of Technical Support
Brandon Stringfield, Information Security Officer
Mike Coffee, Director Telecommunications and Networking
Anthony Espinoza, Chief Information Officer
Dr. Steve Westbrook, Vice President for University Affairs
Kay Johnson, Director of Procurement and Property Services
Michaelyn Greene, Director Administrative Services
Dr. Danny Gallant, Vice President for Finance and Administration
Damon Derrick, General Counsel
Appendix 8

**Computer Purchase and Replacement**

**Original Implementation:** January 30, 2007

**Last Revision:** November 7, 2016 July 24, 2018

**Purpose**

This policy describes the purchase and replacement of university computers and workstations. This policy utilizes guidelines compliance with standards issued by the Texas Department of Information Resources (DIR).

**Definitions**

Computer is defined as a desktop, CPU (tower, small form factor, etc.)- or laptop, notebook, Surface Pro, etc. and is either a PC or a Macintosh (Mac).

Workstation is defined as a general-purpose computer with a higher performance level than a standard computer.

*Portable computer* is defined as a laptop, notebook, or Surface Pro which is capable of running an enterprise operating system.

Tablet is defined as a complete computer contained entirely in a flat touch screen, normally operated by fingertip or stylus, does not run an enterprise operating system (e.g. iPad, Slate, etc.) and are excluded from this policy.

Servers are identified in property records by asset class and are excluded from this policy.

**General Computer Standards**

Base hardware configurations for computers, workstations, and portable computers will be established by a committee appointed by the university, provost and vice president for academic affairs. The base hardware configurations will be reviewed at least annually and published on the procurement website.

The base hardware configurations will be the basis for a pre-approved brand and vendor selection after best value negotiations for both Macs and PCs. Pre-approved brands and vendors will be published on the procurement website.

**Computer Purchases**

All computers and workstations, and portable computers purchased by the university will meet the base hardware configurations established by the university and will follow guidelines and restrictions on the procurement website.
New computer, workstation, or portable computer purchases that increase the total number of computers, workstations, or portable computers on campus will only be allowed for new positions, new programs, etc., or as otherwise approved by the provost and vice president for academic affairs/chief information officer. Requests to increase the total number of computers, workstations or portable computers on campus must be approved prior to submission to Procurement and Property Services.

**Computer-Replacement Cycle**

The university will evaluate the need to replace computers and workstations in campus academic and administrative units on a four-year cycle. The four-year cycle may be deferred for additional years as needed due to budget constraints or administrative discretion. Portable computers in campus academic and administrative units will be evaluated for replacement on a four-year cycle. The four-year cycle may be deferred for additional years as needed due to budget constraints or administrative discretion. Any computers, workstations, or portable computers computers or workstations replaced during a deferment period will still be subject to the requirements of this policy.

All computer, workstation or portable computer replacements will be reviewed to ensure the replacements are warranted, support the mission and goals of the university, and efficiently utilize university funds. Where appropriate and feasible, alternative technology solutions may be utilized in lieu of a physical computer, workstation, or portable computer. If a computer is not capable of running the university supported operating system, the computer may be removed from the university network due to security concerns. Any exceptions require the approval of the chief information security officer.

Academic units may replace computers and workstations that are less than four years old or portable computers that are less than four years old if approved by the chief information officer, subject to the requirements of this policy.

When a new computer or workstation is received, the computer, workstation, or portable computer identified for replacement must be transferred to surplus unless approved as an exception by the provost and vice president for academic affairs/chief information officer. Such transfers should take place within 30 days of the computer or workstation being taken out of service.

No technical support will be provided for those devices that are replaced but not transferred to surplus.
Cross Reference: General Appropriations Act, Article IX, Sec. 9.04; Property Inventory and Management (17.14)

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

Contact for Revision: Director of Procurement and Property Services/HUB Coordinator; Director of Information Technology Services; Chief Information Officer

Forms: None

Board Committee Assignment: Finance and Audit
POLICY SUMMARY FORM

Policy Name: Delgated Purchasing Authority

Policy Number: 17.5

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

Date of last revision, if applicable: 7/28/2015

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

Purpose of Policy (what does it do): The policy exists to support the university’s centralized purchasing function and provides for specific delegations outside of the procurement office and handling of unauthorized purchases.

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

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: Addition of policy purpose and definitions. Other minor wording changes for clarity and consistency.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Kay Johnson, Director of Procurement and Property Services
Danny Gallant, Vice President for Finance and Administration
Damon Derrick, General Counsel
Delegated Purchasing Authority

Original Implementation: Unpublished
Last Revision: July 28, 2015, July 24, 2018

Purpose

This policy supports the university’s centralized purchasing function but provides for specific delegations outside of the procurement office and also describes the handling of unauthorized purchases.

Definitions

Centralized purchasing requires the various departments and operational units of the university to make purchases utilizing the knowledge and experience of the procurement department.

An unauthorized purchase occurs when a university employee orders a product or service without an authorized purchase order issued by the procurement department.

General

The University of Stephen F. Austin State University adheres to a policy of centralized purchasing for the purposes of:

- ensuring compliance with state and federal laws, rules, and regulations;
- protecting the university from unauthorized acquisitions of supplies, equipment and services;
- providing budgetary control and coordination;
- ensuring fair and ethical business practices;
- providing savings through consolidation of requirements and standardization of products where appropriate; and
- providing Best Value Procurement (17.1) through various procurement methods.

The procurement department, under supervision of the director of procurement and property services/HUB coordinator, has sole authority for the negotiation and purchase of all goods and services for the university with the exception of items listed in Items Requiring Board of Regents Approval (1.4), and the following specific delegations that exist under proper administrative approval:
• The director of the university libraries is authorized to purchase books, periodicals, journals and other related materials needed to maintain university resource collections.
• The curator of the Stone Fort Museum is authorized to purchase general merchandise for resale in the museum gift shop.
• Employees are authorized to make procurement card purchases in accordance with policy 17.11, Procurement Card (17.11), and procurement card procedures maintained on the procurement department website.
• Employees without procurement cards may make purchases and request reimbursement if the purchase is approved by the account manager, follows university procurement policy and procedure, and other purchase options are not possible or available (Taxes will not be reimbursed, except as allowed by law).
• Certain payments may be made by completing a voucher for submission to the controller's office. Policy 17.20, Purchase Voucher (17.20), provides guidelines for purchase voucher use.

All other purchases are to be submitted as a formal request for the procurement office to secure a good or service. See Purchase Requisition (17.19).

All official correspondence other than that delegated above; i.e., solicitations, purchase orders, change orders, cancellations, etc. shall be issued by the procurement office. The director of procurement and property services/HUB coordinator is delegated authority to sign all titles and associated documents for the purchase, transfer, or sale of vehicles, trailers, or marine equipment.

Except as expressly granted in Contracting Authority (1.3), no employee of the university has authority to execute contracts valued at $100,000 or more.

UNAUTHORIZED PURCHASES MADE OUTSIDE OF DELEGATED AUTHORITY

An unauthorized purchase occurs when a university employee orders a product or service without an authorized purchase order issued by procurement. Unauthorized purchases will include inappropriate reimbursement requests that fall outside the scope of university procurement policy and procedure. Except as delegated herein, university employees are not authorized to commit to an expenditure of funds on behalf of the university.

Unauthorized purchases over $3000 will not be paid by the university unless a justification is submitted to the vice president for finance and administration for review.

If approved, the appropriate documentation and payment approval must be submitted to the procurement office to process a purchase order for the unauthorized purchase, and state appropriated funds may not be used to pay for the service or product unless approved by the
vice president for finance and administration.

If the unauthorized purchase is not approved by the vice president for finance and administration, the employee will be responsible for payment to the vendor unless the order can be cancelled and/or the goods returned. Any freight, shipping costs, or return penalties will be paid by the employee in the event the order is cancelled and/or the goods returned to the vendor.

The following circumstances will not constitute an unauthorized purchase; however, a requisition must be entered in the university’s financial system at the earliest practical date so that payment is not delayed resulting in possible late fees:

- emergency purchases as defined by Best Value Procurement (17.1);
- memberships;
- purchases that were to be made with a procurement card that reasonably could have been expected to be less than $3000;
- magazine or book subscriptions;
- other automatically recurring or renewable fees;
- purchases associated with existing contracts negotiated by the procurement office;
- tournament fees or game guarantees;
- contracts for which a pool of contractors may be contacted, but availability is not known until the event is held; i.e., athletics game workers, etc.;
- guest lecturers, speakers, artists, entertainers, performers, musicians if the contract is signed by the president prior to the event;
- other professional services as defined by state comptroller’s expenditure codes, if the contract is signed by the president prior to the event;
- services contracts associated with grants as long as the contract is in process with the research and sponsored programs office.

**Cross Reference:** Contracting Authority (1.3); Items Requiring Board of Regents Approval (1.4); *Best Value Procurement (17.1)*; Purchase Requisition (17.19); Purchase Voucher (17.20); Procurement Card (17.11)

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

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

**Forms:** None

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

Policy Name: External Bank Accounts

Policy Number: 3.14

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

Date of last revision, if applicable: 7/28/2015

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

Purpose of Policy (what does it do): Establishes that no individual, department, program or organization is authorized to open any account at a financial institution in the name of SFA or its taxpaper identification number without the prior, written approval of the controller. Also establishes other requirements and prohibitions concerning external bank accounts.

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

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

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: Reviewed with no changes recommended.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Dannette Sales, Controller
Danny Gallant, Vice President for Finance and Administration
Damon Derrick, General Counsel
External Bank Accounts

Original Implementation: July 13, 2006
Last Revision: July 28, 2015

Purpose

This policy establishes guidelines for opening external bank accounts using the name of Stephen F. Austin State University (SFA) or its taxpayer identification number.

Definitions

An external bank account is any checking, savings, or investment account with any financial institution, including but not limited to banks, credit unions, savings and loans, or investment firms.

General

No individual, department, program, or organization, including a duly recognized and registered student organization, is authorized to open any checking, savings, or investment account using the name of Stephen F. Austin State University (SFA) or its taxpayer identification number with any financial institution, including but not limited to banks, credit unions, savings and loans, or investment firms, without the prior, written approval of the controller.

The owner of any external bank account approved under this policy must provide a copy of the current bank signature card to the controller. Additionally, the owner of any external bank account for a student organization shall adhere to the university’s cash-handling procedures for student groups. University funds, including amounts received by student organizations through the student service fee allocation, may not be deposited in an external bank account.

Gifts made to the university must be deposited into the university's accounts maintained through the controller's office in accordance with Gift Reporting (3.16), regardless if the money was initially solicited by the external organization.

In accordance with Student Organization Formation and Recognition (10.9), employees of SFA should not be authorized to sign on any student organization’s external bank account. Student employees are exempted from this prohibition.

External bank accounts approved by the controller for student organizations may be subject to audit.
Cross Reference: Gift Reporting (3.16); Student Organization Formation and Recognition (10.9)

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Controller

Forms: None

Board Committee Assignment: Finance and Audit
Policy Name: Institutional Reserve Fund

Policy Number: 3.19

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

Date of last revision, if applicable: 7/28/2015

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

Purpose of Policy (what does it do): Establishes that SFA will maintain an institutional reserves fund. It also defines the target size and appropriate uses of the fund.

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

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

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: Minor organizational and wording changes.

Specific rationale for deletion of policy:

Additional Comments:

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Reviewers:

Dannette Sales, Controller
Danny Gallant, Vice President for Finance and Administration
Damon Derrick, General Counsel
Institutional Reserves Fund

Original Implementation: July 13, 2006
Last Revision: July 28, 2015July 24, 2018

Definition and Purpose

This policy establishes guidelines for the university’s institutional reserves fund. An appropriate institutional reserves fund helps maintain financial strength, provides the foundation for debt management and issuance, protects against external volatility, and allows flexibility in planning for the needs of the university.

Definitions

The institutional reserves fund balance refers to resources that are not allocated to any specific unit of the university, but are held centrally within the university's financial system. Additions to the institutional reserves fund balance include revenues that exceed expenditures. Deductions include the use of reserves to fund operating budgets, construction projects, and unanticipated institutional requirements.

General

The purpose of an institutional reserves fund is to provide contingent support for potential significant financial occurrences, including:

- unanticipated or uninsured catastrophic events,
- temporary institutional revenue shortfalls or expenditure gaps,
- unforeseen legal obligations and costs,
- failures in central infrastructure,
- failures of major business systems.

Institutional Reserves Fund Budgeting

The SFA Board of Regents through the vice president for finance and administration shall set aside revenue to fund the reserves as an annual budget practice during periods of revenue growth and stability. During periods that revenue support is needed, the board may choose to augment revenue by utilizing institutional reserves. The board may use reserves to support an annual operating budget for various reasons including, but not limited to:

- funding expenditures that are fixed term in nature (usually three years or less),
- funding expenditures that should be paid from sources other than tuition or state appropriations,
- funding a general contingency for unplanned or unexpected financial needs that may arise during the fiscal year, or
strategically allocating reserves when the balance is significantly above the target.

**Institutional Reserves Fund Size**

The target amount of reserves that an institution should maintain is determined using a calculation called the primary reserve ratio. The ratio is calculated by dividing expendable net assets by total expenses, net of depreciation and amortization. The higher education industry target benchmark for the primary reserve ratio is .40. Consequently, an institution's target reserves fund goal should be 40% of its annual operating budget, thus providing approximately five months of operational capacity. An institution with a low primary reserve ratio generally lacks sufficient resources for strategic initiatives and may have less operating flexibility. Therefore, when the primary reserve ratio calculation is .20 or less, the institution will take steps to restore reserves.

At the end of each fiscal year, the primary reserve ratio calculation will be used to measure the distance from the reserves target. The amount of the institutional reserves fund and the reserves gap will be reported to the Board of Regents when year-end information is available.

In the event reserves are utilized, a restoration plan should include an appropriate payback period.

**Cross Reference:** None

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

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

**Forms:** None

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

Policy Name: Memberships

Policy Number: 17.10

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

Date of last revision, if applicable: 7/28/2015

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

Purpose of Policy (what does it do): This policy exists to provide specific rules related to purchasing memberships.

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

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

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: Minor wording changes.

Specific rationale for deletion of policy:

Additional Comments:

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Reviewers:

Kay Johnson, Director of Procurement and Property Services
Danny Gallant, Vice President for Finance and Administration
Damon Derrick, General Counsel
Memberships

Original Implementation: September 1, 1982
Last Revision: July 28, 2015

Purpose

This policy provides specific guidance relating to purchasing memberships.

General

All memberships are held in the name of the university. Memberships that clearly relate to the university as a whole may be paid from the university's institutional membership account, subject to available funding and president's approval. Memberships relating to specific departments or functions are funded from departmental or college accounts.

Memberships that will be paid with appropriated funds must be submitted on a purchase requisition and approved at the president or vice president level. This approval may not be delegated. Memberships in a chamber of commerce may not be purchased with appropriated funds.

Cross Reference: Tex. Gov’t Code § 2113.104; State Comptroller eXpendit, Restricted Expenditures

Responsible for Implementation: Vice President for Finance and Administration

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

Forms: None

Board Committee Assignment: Finance and Audit
Policy Name: Payment Card Acceptance and Security

Policy Number: 14.8

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

Date of last revision, if applicable: 7/28/2015

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

Purpose of Policy (what does it do): The purpose of this policy is to apply best security practices to ensure the protection of payment card information by complying with Payment Card Industry (PCI) Data Security Standards (DSS).

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

Please complete the appropriate section:

Specific rationale for new policy:


Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Judi Kruwell, Director of Financial Services
Danny Gallant, Vice President for Finance and Administration
Damon Derrick, General Counsel
Payment Card Acceptance and Security

Original Implementation: July 21, 2009
Last Revision: July 28, 2015July 24, 2018

Purpose

The purpose of this policy affirms the university’s intent to apply best security practices to ensure the protection of payment card information by complying with Payment Card Industry (PCI) Data Security Standards (DSS). This policy is supplemental to any other information security policies currently in effect at Stephen F. Austin State University (university).

Definitions

An affiliated organization is an entity that uses systems connected to the university network or assets or equipment owned by the university to process, transmit, or store cardholder information.

The cardholder is the customer to whom a credit card or debit card has been issued or the individual authorized to use the card.

Payment card is a general term which includes both debit cards and credit cards.

Payment card information is any personally identifiable information associated with a cardholder (e.g., cardholder name, account number, expiration date, address, social security number, personal identification number and card validation code).

Payment Card Industry (PCI) Data Security Standards (DSS) are the result of collaboration between the five major credit card brands to develop a single approach to safeguarding cardholder data. The standards apply to all entities that store, process, and/or transmit cardholder data and covers technical and operational system components included in or connected to cardholder data.

A payment processor is any individual, department, school, or other functional area accepting payment cards in exchange for goods or services on behalf of the university or an affiliated organization.

Resources Covered General

All computers, electronic devices, or other resources at the university used in the processing, transmitting and storing of cardholder information are governed by this policy and subject to PCI-DSS requirements. This includes servers which store payment card information; workstations which are used to enter payment card information into a central system; and cash
registers, point-of-sale terminals connected to a phone line or the university network,; and any other devices through which the payment card information is transmitted. Also covered are websites storefronts that redirect customers to another website to enter payment information. In addition, all paper forms or receipts containing cardholder data are also covered under this policy.

**Covered Groups**

This policy applies to all university departments, faculty, staff, students, temporary employees, vendors, associated entities, or any others who process, transmit, store or handle cardholder information in physical or electronic format on behalf of the university. This policy also applies to any affiliated organizations with cardholder information that is processed, transmitted, or stored on systems connected to the university network or through assets or equipment owned by the university.

**Definitions**

**Affiliated Organizations**: An entity that uses systems connected to the university network or assets or equipment owned by the university to process, transmit or store cardholder information.

**Cardholder**: The customer to whom a credit card or debit card has been issued or the individual authorized to use the card.

**Payment card**: General term which includes both debit cards and credit cards.

**Payment card information**: Any personally identifiable information associated with a cardholder (e.g., cardholder name, account number, expiration date, address, social security number, personal identification number and card validation code).

**Payment Card Industry (PCI) Data Security Standards (DSS)** are the result of collaboration between the five major credit card brands to develop a single approach to safeguarding cardholder data. The standards apply to all entities that store, process, and/or transmit cardholder data and covers technical and operational system components included in or connected to cardholder data.

**Payment Processor**: Any individual, department, school, or other functional area accepting payment cards in exchange for goods or services on behalf of the university or an affiliated organization.

**Responsibilities**

The vice president for finance and administration is responsible for oversight of the PCI compliance program (program). The vice president for finance and administration will designate
specific responsibility for the development, implementation and administration of the program.

The designated program representative(s) will review and approve all requests to accept payment cards, perform all necessary actions to ensure PCI compliance, and respond to any suspected payment card information threat.

Payment card processors will establish and maintain documented procedures for complying with this policy and PCI-DSS.

**Requirements**

PCI DSS compliance is mandatory for any department or affiliated organization that accepts, captures, stores, transmits, and/or processes payment card information. Only authorized and properly trained employees, vendors, and temporary employees may accept and/or access payment card information. All employees with access to payment card information are required to take payment card training annually. Each person who has access to payment card information is responsible for protecting the information in accordance with PCI DSS and university policy.

Only PCI DSS compliant equipment, systems and methods may be used to process, transmit, and/or store payment card information. All systems used to process, transmit, and/or store payment card data must be registered with the designated program representative. Payment cards cannot be processed, transmitted, and/or stored using the university’s network unless Information Technology Services (ITS) has verified existence of all technical controls required by the PCI DSS and other applicable university policies.

Payment card processors must obtain advance approval from the program representative(s) designated by the vice president for finance and administration before accepting payment cards for payment of goods or services, or before entering into any contracts or purchases of software and/or equipment related to payment card processing. Once approved, copies of contracts must be forwarded to the designated program representative(s). Payment processors are required to use the university’s preferred service provider. Exceptions may be granted only after a request from the payment processor has been reviewed and approved by the designated program representative(s). When an exception has been granted, the payment processor remains responsible for ensuring the service provider is PCI compliant and provides ongoing certification of compliance. Contracts with third parties with access to payment card information must include language that requires adherence to the PCI DSS.

Suspected exposure or theft of payment card information must be reported immediately to one of the following university employees: the vice president for finance and administration or the director of financial services, the controller, the director of audit services, or the chief of police. Additionally, any suspected breach in the network should be immediately
Suspected exposure or theft of payment card information must be reported immediately to one of the following university employees: the vice president for finance and administration, the director of financial services, the controller, the director of audit services, or the chief of police. Additionally, any suspected breach in the network should be immediately reported to the chief information officer.

**Enforcement:**

Periodic reviews may be performed to validate compliance with this policy. If the requirements of this policy are not followed, suspension of payment card options may result. Substantial fines may also be imposed by credit card companies if a security breach and subsequent compromise of payment card data occurs.

Employees in violation of PCI DSS and this policy may be subject to a range of sanctions including loss of computer network access, disciplinary action or legal sanctions.

**Cross Reference:** PCI Security Standards; Receipts and Deposits (3.26); *Information Security Incident Response and Reporting (14.14)*

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

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

**Forms:** Application for Exception from Use of University Preferred Electronic Payment Service, Statement of Intent to Comply with the University Policy for Payment Card Acceptance and Security, Payment Card Processor Registration Form, Confidentiality Statement

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

Policy Name: Physical Plant Charges

Policy Number: 16.20

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

Date of last revision, if applicable: 7/28/2015

Unit(s) Responsible for Policy Implementation: Director of Physical Plant

Purpose of Policy (what does it do):

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

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: Minor wording changes and clarifications.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Ron Watson, Director of Physical Plant
Danny Gallant, Vice President for Finance and Administration
Damon Derrick, General Counsel
Physical Plant Charges

Original Implementation: December 7, 1987
Last Revision: July 28, 2015
July 24, 2018

Purpose

This policy establishes guidelines for the types of physical plant activities that can be charged to requesting campus customer accounts.

Definitions

Educational and general buildings include those used for academic purposes such as classrooms, labs, and offices as well as library spaces and offices used for administrative institutional support.

General

Funding for repairs to campus buildings comes from several sources and the type and use of the building determines the source of funding. Funding is as provided below:

- Maintenance of educational and general buildings and building equipment (i.e., academic and non-auxiliary support offices, classrooms, library, etc.): Maintenance of these buildings and building equipment is the responsibility of the Physical Plant department and is paid from funds budgeted for that purpose. However, requested services charged to the appropriate campus customer account for the following materials and services:
  - Materials taken from stock not used in maintenance projects;
  - Repair or replacement of equipment including appliances;
  - Event services including set-up, standby, cleanup, equipment rental, and moving services;
  - Paint and carpet requests when redecorating or outside the normal maintenance schedule;
  - Materials, installation and labor for millwork;
  - Vehicle rentals, repairs, and fuel;
  - Requested modifications to facilities, interior or exterior;
  - Replacement of lost keys or lock changes due to lost keys. Re-coring locks and making new keys due to lost keys, lock changes, keys via department request;
  - Call back expenses that are not caused by normal maintenance requirements;
  - Requested items such as name plates, plaques and departmental directories including labor.
All maintenance and requested services for non-educational and general buildings and building equipment will be charged to the appropriate campus customer account.

All requests for cost estimates or work that require modification of space, building systems, or otherwise effect the built environment are subject to the guidelines set forth in the Request for Space Modification process. The physical plant performs and schedules project work within the parameters of the Request for Space Modification process.

Normal business hours of the Physical Plant department are Monday through Friday 7 a.m. to 4 p.m. Please note that all work performed outside of these normal business hours may be subject to an overtime charge.

Cross Reference: None

 Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Director of Physical Plant

Forms: None

Board Committee Assignment: Finance and Audit
POLICY SUMMARY FORM

Policy Name: Post Bond Issuance Federal Tax Compliance

Policy Number: 3.5

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

Date of last revision, if applicable: 4/15/2015

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

Purpose of Policy (what does it do): This policy identifies the compliance areas related to tax-exempt bond financing and affirms the university’s intent to fulfill all requirements in these areas during the post-issuance period. It also identifies the Post-Issuance Bond Compliance Procedures as the authoritative resource for compliance activities.

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

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

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: Updated to reflect current requirements.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Judi Kruwell, Director of Financial Services
Danny Gallant, Vice President for Finance and Administration
Damon Derrick, General Counsel
Post Bond Issuance Federal Tax Compliance

Original Implementation: April 14, 2015
Last Revision: None July 24, 2018

Purpose

This policy identifies the compliance areas related to tax-exempt bond financing and affirms the university’s intent to fulfill all requirements in these areas during the post-issuance period. It also identifies the Post-Issuance Bond Compliance Procedures as the authoritative resource for compliance activities.

Definitions

Bond proceeds are paid to the university by the purchaser or underwriter of a new issue of tax-exempt obligations to finance a project for which the securities were issued.

Arbitrage is the investment gain made by investing the proceeds of tax-exempt bonds in taxable investments.

Private business use includes any trade or business activity, directly or indirectly, using bond-financed property which is carried on by any person or entity other than a governmental unit.

General

The Board of Regents, Stephen F. Austin State University (the "board") has issued and will issue from time to time bonds, notes or other tax-exempt obligations (collectively, the "bonds") on behalf of Stephen F. Austin State University (the "university"). The board is required by the terms of Section 103 and 141 through 150 of the Internal Revenue Code of 1986, as amended ("code"), and the U.S. Treasury Regulations promulgated thereunder ("regulations"), to preserve the tax-exempt status of its bonds subsequent to their issuance. Further, the code and the regulations impose record retention requirements on the board with respect to its bonds.

The purpose of this policy is to describe action to be taken in order to comply with bond covenants including applicable code provisions and regulations and also to specify who is responsible for such action.

Expenditure and Allocation of Bond Proceeds

Bond proceeds may only be used for eligible project costs in accordance with applicable federal and state laws and restrictions of the bond documents. The spending of bond proceeds and related investment earnings must be monitored to help ensure they are used for eligible project costs and qualified purposes.

Spending Requirements and Arbitrage Rebate
Restrictions exist as to the timing of the expenditure of bond proceeds. Generally, proceeds must be spent within three years of bond issuance, although there are several rebate exceptions if bond proceeds are spent promptly. If it appears that all proceeds will not be spent within a three-year period, bond counsel should be consulted.

Tax rules generally require borrowers of tax-exempt debt to calculate and pay, or “rebate”, to the IRS any “arbitrage profit” earned on the investment of bond proceeds prior to their expenditure. The appropriate university staff, consultants(s), or other appropriate persons will maintain procedures to ensure the required arbitrage calculations are performed and the necessary (if any) IRS tax forms are filed.

With respect to the investment and expenditure of the proceeds of bonds, the vice president for finance and administration will instruct the appropriate staff, consultant(s) or other appropriate person(s) to:

require that the construction, renovation or acquisition of any facilities to be financed with the proceeds of bonds proceed with due diligence and that binding contracts for the expenditure of at least five per cent (5%) of the proceeds of the bonds be entered into within six (6) months of the date of delivery of the bonds (“issue date”);

monitor to ensure that at least eighty-five percent (85%) of the proceeds of the bonds to be used for the construction, renovation or acquisition of any facilities are expended within three (3) years of the issue date;

ensure that the yield on the investments of any proceeds of the bonds be restricted to the yield on the bonds for any period beyond three (3) years of the issue date;

monitor all amounts deposited into a sinking fund or fund (e.g., a debt service fund or interest and sinking fund) to assure that the maximum amount invested at a yield higher than the yield on the bonds does not exceed an amount equal to the debt service on the bonds in the succeeding twelve (12) month period plus a carryover amount equal to one-twelfth (1/12) of the principal and interest payable on the bonds for the immediately preceding twelve (12) month period;

ensure that no more than fifty percent (50%) of the proceeds of the bonds are invested in an investment with a guaranteed yield for four (4) years or more; assure that the maximum amount of any reserve fund for the bonds invested at a yield higher than the yield on the bonds will not exceed the lesser of (i) ten percent (10%) of the principal amount of the bonds, (ii) one hundred twenty-five percent (125%) of the average annual debt service on the bonds measured as of the issue date, or (iii) one hundred percent (100%) of the maximum annual debt service on the bonds as of the issue date;

monitor the actions of the escrow agent holding any escrow funded with bond proceeds to ensure compliance with the applicable provisions of the escrow agreement, including with respect to reinvestment of cash balances;
document by official action of the board, such as a reimbursement resolution, any intent of the board to reimburse with the proceeds of the bonds any amount expended prior to the issue date for the acquisition, renovation or construction of the facilities;

ensure that the applicable information return (e.g., IRS Form 8038–G, or any successor form) is timely filed with the Internal Revenue Service ("IRS"); and

assure that, unless excepted from rebate and yield restriction under Section 148(f) of the Internal Revenue Code of 1986, excess investment earnings are computed and paid to the U.S. government at such time and in such manner as directed by the IRS (i) at least every five (5) years after the issue date and (ii) within thirty (30) days after the date the bonds are retired.

**PRIVATE BUSINESS USE**

**Private Business Use**

IRS tax rules limit private business use of a building financed with tax-exempt financing. With respect to the use of any facilities financed or refinanced with the proceeds of the bonds, TTo help ensure compliance with the limitation of private business use, the vice president for finance and administration will instruct the appropriate university staff, consultant(s), or other appropriate person(s) to implement and monitor university procedures to comply with IRS rules regarding private business use of facilities financed with tax exempt bonds.

(a) monitor the date on which the facilities are substantially complete and available to be used for their intended purpose;

(b) monitor whether, at any time during which the bonds are outstanding, any person, other than the university, its employees and agents or members of the general public, has any contractual right (such as a lease, purchase, management or other service agreement) with respect to any portion of the facilities;

(e) monitor whether, at any time the bonds are outstanding, any person, other than the university, its employees and agents or members of the general public, has a right to use the output of the facilities (e.g., water, gas or electricity);

(d) monitor whether, at any time the bonds are outstanding, any person, other than the university, its employees and agents or members of the general public, has a right to use the facilities to conduct or to direct the conduct of research;

(e) determine whether, at any time the bonds are outstanding, any person, other than the university, has a naming right for the facilities or any other contractual right granting an intangible benefit;

(f) determine whether, at any time the bonds are outstanding, the facilities are sold or otherwise disposed of; and

(g) take such action as is necessary to remediate any failure to maintain
Appendix 8

compliance with the covenants contained in the resolutions authorizing issuance of the bonds related to the public use of the facilities.

RECORDS RETENTION

The vice president for finance and administration and designated university staff will maintain all records relating to the investment and expenditure of the proceeds of the bonds and the use of any facilities financed or refinanced thereby for the period of time required by federal and state laws. The university will also maintain such records for the period required by federal and state laws. Such records may be maintained in paper or electronic format and must be indexed. This policy supersedes any other documented retention policies in regards to records pertaining to tax-exempt bond issues. Guidelines and responsibility for records retention is detailed in the Post Issuance Bond Compliance Procedures.

CONTINUING DISCLOSURE

The university will remain in compliance with the Security and Exchange Commission rule 15c2-12 which requires the filing of certain annual financial statements and other financial and operating information data with the Electronic Municipal Market Access System (EMMA) which is maintained by the Municipal Securities Rulemaking Board (MSRB). This information is for the benefit of bondholders, and must be filed within 180 days of the close of the fiscal year.

In addition to annual financial information, the university is required to file a Material Event Notice within ten business days of any of the following occurrences:

- Principal and interest payment delinquencies;
- Non-payment related defaults;
- Unscheduled draws on debt service reserves reflecting financial difficulties;
- Unscheduled draws on credit enhancements reflecting financial difficulties;
- Substitution of credit or liquidity providers, or their failure to perform;
- Adverse tax opinions, IRS notices, or material events affecting the tax status of the security;
- Modifications to rights of security holders;
- Release, substitution, or sale of property securing repayment of the securities, if material;
- Bond calls, if material, and tender offers;
- De feasances;
- Rating changes;
- Bankruptcy, insolvency, receivership, or similar event;
- Merger, consolidation, or acquisition of the issuer, if material; and/or
- Appointment of a successor or additional trustee or name change of a trustee, if material.
The vice president for finance and administration is responsible for responding to inquiries by investors, rating agencies, and other outside parties relating to the status of projects, the financial condition of the university, and any other events that may affect investors.

**RESPONSIBLE PERSON**

The vice president for finance and administration and/or designated staff will receive appropriate training on federal tax requirements for post-issuance compliance applicable to bonds, develop, maintain, and enforce procedures to ensure continuing compliance.

**Cross Reference:** I.R.C. §§ 103, 141-150; 17 C.F.R. § 240.15c2-12

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

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

**Forms:** None

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

Policy Name: Procurement Training

Policy Number: 17.25

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

Date of last revision, if applicable: 7/28/2015

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

Purpose of Policy (what does it do): The policy exists to address training requirements for employees.

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

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

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: Minor wording changes only.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Kay Johnson, Director of Procurement and Property Services
Danny Gallant, Vice President for Finance and Administration
Damon Derrick, General Counsel
Procurement Training

Original Implementation: July 16, 2013
Last Revision: July 28, 2015 / July 24, 2018

Purpose

This policy addresses training requirements for employees who are involved in the procurement process.

Definitions

Centralized purchasing requires the various departments and operational units of the university to make purchases utilizing the knowledge and experience of the procurement department.

General

Various sections of the state government code, education code, and human resources code, in addition to numerous sections of administrative rules, apply to purchases made by Stephen F. Austin State University. University policies and procedures apply additional requirements to purchases.

Because the university adheres to a policy of centralized purchasing, the procurement office is charged with ensuring that applicable laws, rules, policies and procedures are followed for each purchase. Employees are required to be aware of their limited delegated purchasing authority and that various laws, rules, policies and procedures may affect the processing of their requisition to a purchase order.

To ensure that employees are knowledgeable about purchasing laws, rules, policies and procedures, Therefore, mandatory training is required for the following employees:

- employees having access in the university’s financial system to enter requisitions;
- employees having access in the university’s financial system to approve requisition;
- officers and employees authorized to execute contracts, or exercise discretion in awarding contracts.

Training is required every two years. All training is documented in the university’s myTraining system. Failure to complete training within 60 days of notification will result in all ordering for the department, including procurement cards, being shut down until the individual completes training. The procurement director may allow exceptions to the training timeframes for employees on FMLA leave, out of the country, or as otherwise deemed appropriate.
Cross Reference: Delegated Purchasing Authority (17.5); Tex. Educ. Code § 51.9337

Responsible for Implementation: Vice President for Finance and Administration

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

Forms: None

Board Committee Assignment: Finance and Audit
POLICY SUMMARY FORM

Policy Name: Purchases from Officers or Employees

Policy Number: 17.21

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

Date of last revision, if applicable: 7/28/2015

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

Purpose of Policy (what does it do): This policy exists to address processing requirements for purchases from employees.

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

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: Only minor wording changes.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Kay Johnson, Director of Procurement and Property Services
Danny Gallant, Vice President for Finance and Administration
Damon Derrick, General Counsel
Purchases from Officers or Employees

Original Implementation: Unpublished
Last Revision: July 28, 2015 July 24, 2018

Purpose

This policy establishes requirements relating to purchases from officers or employees.

Definitions

Financial interest is defined as:

- Owning or controlling, directly or indirectly, an interest of at least one percent in a contractor or business entity, including the right to share in profits, proceeds, or capital gains; or
- Reasonably foreseeing that a contract with the contractor or business entity could result in a financial benefit to the officer or employee.

Financial interest does not include a retirement plan, a blind trust, insurance coverage, or an ownership interest of less than one percent in a corporation.

General

Purchases, including but not limited to procurement card, purchase order and purchase voucher from an SFA officer or employee are prohibited except as provided herein. In addition, purchases from any person or entity with whom the SFA officer or employee has a family, financial, or personal relationship must be disclosed and managed. Reference Purchasing Ethics and Confidentiality (17.22).

The university may not enter into a contract for the purchase of goods or services with any business entity with whom any of the following university employees or officers or employees, or their family members, have a financial interest:

1) a member of the SFA Board of Regents;
2) the president;
3) general counsel;
4) director of procurement and property services; or
5) a family member related to an employee as described any of the related to any of the above within the second degree of affinity or consanguinity (See Nepotism, 11.16)

Financial interest is defined as the officer, employee, or family member identified above:

- Owning or controlling, directly or indirectly, an ownership interest of at least one percent in a contractor or business entity, including the right to share in profits, proceeds, or capital gains; or
• Reasonably foreseeing that a contract with the contractor or business entity could result in a financial benefit to the officer or employee.

Financial interest does not include a retirement plan, a blind trust, insurance coverage, or an ownership interest of less than one percent in a corporation.

Such relationships must be disclosed annually in accordance with Purchasing Ethics and Confidentiality (17.22).

Except as otherwise prohibited herein, the purchase of commodities from any SFA officer or employee is allowed only if the price is equal to or less than that which can be obtained from any other known and ethical source, regardless of the dollar amount. Solicitation documentation showing pricing from a minimum of two other sources is required for any purchase including, but not limited to, procurement card, purchase order, or purchase voucher. A proprietary purchase from an officer or employee may be acceptable, but only with approval from the director of procurement.

Except as otherwise prohibited herein, service contracts or agreements between employees and the university must be approved in advance by the director of procurement and the general counsel. The standard procedure is to submit an additional compensation form to human resources. Reference Salary Supplements, Stipends, and Additional Compensation policy (12.16).

Cross Reference: Salary Supplements, Stipends and Additional Compensation (12.16); Purchasing Ethics and Confidentiality (17.22); Nepotism (11.6); Tex. Gov’t Code § 2261.252

Responsible for Implementation: Vice President for Finance and Administration

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

Forms: Sole Source/Product Justification

Board Committee Assignment: Finance and Audit
POLICY SUMMARY FORM

Policy Name: Purchasing Ethics and Confidentiality

Policy Number: 17.22

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

Date of last revision, if applicable: 7/28/2015

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

Purpose of Policy (what does it do): This policy exists to address conflicts of interest related to the procurement process.

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

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

☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: Changes made to legislation updates.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Kay Johnson, Director of Procurement and Property Services
Danny Gallant, Vice President for Finance and Administration
Damon Derrick, General Counsel
Purchasing Ethics and Confidentiality

Original Implementation: Unpublished
Last Revision: July 28, 2015 / July 24, 2018

Purpose

This policy identifies conflicts of interest related to the procurement process and establishes guidelines to protect the integrity and objectivity of employees involved in the purchasing process.

Definitions

Family Relationship is defined as anyone within the second degree of affinity or third degree of consanguinity as specified in Nepotism (11.16). The definition is further expanded to include: any firm in which one of these family members is a partner or sole proprietor; or any corporation in which any of those persons holds a 10% or more interest in stock or an investment of $25,000 or more either directly or indirectly; or any other individual living in the same household.

Financial Relationship indicates a partnership or other commercial relationship involving a joint venture between the employee and another person or entity. Examples are: research grants, consultancies, honoraria and travel, self-managed equity interest in a company, employment of an immediate family member in a company and/or other benefits or substantial gifts from a company.

Personal Relationship indicates a relationship with a person or entity sufficiently close such that a reasonable person would believe that it would be difficult for the SFA employee to deal with the person as he or she would deal with a stranger.

Commitments and Outside Activities indicates any board on which the employee or officer serves in any organization other than SFA, including, but not limited to, for-profit business entities, 501(c)(3) organizations, etc.

General

Employees and officers of Stephen F. Austin State University are expected to maintain high personal standards in the conduct of daily business on behalf of the university, in addition to complying with all federal, state, and local laws and as well as university policies. Credibility and public confidence are vital throughout the purchasing and contracting process. If any involved party displays a lack of honesty, integrity, or openness, the entire program is injured. Even a perception of impropriety can destroy public confidence and therefore be as harmful as the conduct itself.

For the purpose of protecting both the integrity and objectivity of its employees and officers in the performance of their university obligations, it is the policy of the university that conflicts of
interest should be avoided where possible or otherwise disclosed and managed.

Each employee and officer should understand that their primary responsibility is to accomplish the duties and responsibilities assigned to their position and will be required to annually disclose conflicts of interest, conflicts of commitment, and outside activities that could give rise to concerns regarding contracting practices including, but not limited to, procurement cards, purchase requisitions, purchase orders, bi-lateral contracts, or purchase vouchers. Contracts are strictly prohibited if certain officers or employees, or their family members, have a financial interest. See Purchases from Officers or Employees (17.21). SFA employees and officers involved in any form of procurement or the procurement process may not:

- participate or work on a contract by taking action as an employee through decision, approval, disapproval, recommendation, giving advice, investigation or similar action knowing that any person or entity with whom the employee has a family, financial, or personal relationship has an actual or potential financial interest in the contract, including prospective employment;
- participate or work on a contract as noted above knowing that the employee has an actual or potential financial interest in the contract, including prospective employment;
- solicit or accept gifts or gratuities which might tend to influence purchasing decisions;
- be employed by, or agree to work for, a vendor or potential vendor;
- knowingly disclose confidential information for actual or anticipated personal gain, or for the actual or anticipated gain of another person.

Each employee and officer must complete a disclosure once each year and shall update the disclosure during the year as needed to identify applicable changes. The information provided in the disclosure will be considered confidential information and will be released only to those individuals involved in applicable decisions and only as needed or required by law; i.e., procurement, accounts payable, department heads, vice presidents, president, general counsel, etc. The disclosure shall, at a minimum, identify known conflicts of interest identifying family, financial, and personal relationships, conflicts of commitments, and outside activities.

Family Relationship—
- Anyone within the second degree of affinity or third degree of consanguinity as specified in policy 11.16, Nepotism.
- any firm in which any of the above persons is a partner or sole proprietor, or any corporation in which any of those persons or more stock either directly or indirectly, or any other individual living in the same household.

Financial Relationship—indicates a partnership or other commercial relationship involving a joint venture between the employee and another person or entity. Examples are: research grants, consultancies, honoraria and travel, self-managed equity interest in a company, employment of an immediate family member in a company and/or other benefits or substantial gifts from a company.
Personal Relationship—indicates a relationship with a person or entity sufficiently close such that a reasonable person would believe that it would be difficult for the SFA employee to deal with the person as he or she would deal with a stranger.

Commitments and Outside Activities—indicates any board on which the employee or officer serves in any organization other than SFA, including, but not limited to, for profit business entities, 501c3 organizations, etc.

If not related to a particular transaction, university employees may accept from vendors and others: (1) unsolicited advertising or promotional material such as pens, pencils, scratch pads, and calendars; (2) occasional business lunches or food and refreshments of insignificant value; and (3) other items of nominal or minor value (i.e., a box of candy, fruitcake, etc.) that are merely tokens of appreciation. Refer to Ethics (2.6) for the statutory definition of a "benefit." Refer to Gifts, Prizes and Awards (3.18) regarding the giving of gifts, prizes and awards.

Specific rules apply to purchases from an SFA officers or employees. See Purchases From Officers or Employees (17.21).

Written disclosure specific to the procurement must be signed by all parties involved in the procurement process for major contract awards of $1 million or more in value. All such written disclosures will be retained in procurement services. Reference Ethics (2.6) for specific information regarding the disclosure.

Specific disclosure is required by SFA employees for consultant contracts in which there is a financial interest in the private consultant by an officer or employee, or by anyone related to the officer or employee within the second degree of affinity or third degree of consanguinity. (See Nepotism 11.6) Reference Professional and Consultant Services (17.12) or Ethics (2.6) for specific information regarding the disclosure.

For any contract that requires approval by the Board of Regents before the contract may be signed and has a value of at least $1 million, the vendor must submit a disclosure of interested parties on a form prescribed by the Texas Ethics Commission. The procurement office shall submit a copy of the disclosure to the Texas Ethics Commission. This requirement does not apply to a sponsored research contract or an interagency contract.

When an actual violation of any of these standards is discovered, the person involved shall promptly file a written statement concerning the matter with the director of procurement and property services. If an actual violation occurs or is not disclosed and remedied, the employee involved may be reprimanded, suspended, or dismissed. The vendor or potential vendor may be barred from receiving future contracts and/or have an existing contract canceled. Any employee or officer who knowingly violates laws, rules, or policies relating to contracting processes is
subject to disciplinary action up to and including termination. Other penalties may apply depending on the severity of the action. See Ethics (2.6).

Purchasing professionals have the right under law to have any ethics question reviewed and decided by the Texas Ethics Commission. To learn whether a specific action violates the ethics rules, contact the Texas Ethics Commission, 201 East 14th St., 10th Floor, Austin, Texas 78701 or call them at 512-463-5800.

Cross Reference: Ethics (2.6), Professional and Consultant Services (17.12); Purchases From Officers or Employees (17.21); Gifts, Prizes and Awards (3.18); Nepotism (11.16); Tex. Educ. Code § 51.9337; Tex. Gov’t Code §§ 573.021-.025, 2252.908, 2254.032, 2261.252, 2262.004; 2 CFR §§ 200.317-.326

Responsible for Implementation: Vice President for Finance and Administration

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

Forms: Conflict of Interest, Outside Commitment and Activities

Board Committee Assignment: Finance and Audit
Policy Name: Travel
Policy Number: 3.29

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

Date of last revision, if applicable: 7/28/2015

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

Purpose of Policy (what does it do): Establishes the general travel regulations for university travel, and states that the authoritative source regarding travel is the Texas Comptroller of Public Accounts (Textravel) and the SFA Travel Guidelines.

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

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: Added the provision that the SFA Travel Guidelines also apply to students, but not to intercollegiate athletics. Also added that travel related to intercollegiate athletics will be made in accordance with the Intercollegiate Athletics Policy and Procedure Manual. (These aforementioned revisions are consistent with the Travel Guidelines.) Clarified that disciplinary action related to fraudulent travel claims could include dismissal.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Dannette Sales, Controller
Danny Gallant, Vice President for Finance and Administration
Damon Derrick, General Counsel
Purpose

This policy establishes regulations related to allowable expenditures for university business travel and identifies the SFA Travel Guidelines and the Textravel website maintained by the Texas Comptroller of Public Accounts as the authoritative resources for travel laws and rules.

Definitions

University business travel is travel undertaken for the benefit of the university and should be planned and conducted to achieve maximum cost efficiency. Travel expenditures must be reasonable, necessary, appropriately documented and properly approved.

Applicability General

The Stephen F. Austin State University (SFA) Travel Guidelines are located on the university’s travel website. Unless otherwise stated, they apply to employees, students, and prospective employees traveling in a university capacity except the president, and members of the Board of Regents, and intercollegiate athletics. When this policy or guidelines contradict National Collegiate Athletic Association (NCAA) rules and regulations related to travel on behalf of, or in connection with, intercollegiate athletics, those rules will apply. Travel by the president and Board of Regents and president will be made in accordance with applicable law. Travel related to intercollegiate athletics will be made in accordance with the Intercollegiate Athletics Policy and Procedure Manual.

The reimbursement limits stated in the SFA Travel Guidelines 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 by the controller’s office. A list of funds that can be used for discretionary purposes will be published on the controller’s office website.

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. TCPA travel rules, Textravel, are located on the university’s travel website. In case of conflict between SFA Travel Guidelines and Textravel, SFA Travel Guidelines take precedence except where state of Texas law prevails. The university president, at his/her discretion, may establish lower travel reimbursement rates than those in Textravel. 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 Travel Guidelines. Failure to comply may result in reimbursement delays and/or rejection of the employee’s claim for travel reimbursement. Fraudulent travel claims will be grounds for disciplinary action including dismissal.

**Cross Reference:** Tex. Gov’t Code § 660.203; Tex. Educ. Code § 101.19; Intercollegiate Athletics Policy and Procedure Manual; Textravel (Texas Comptroller of Public Accounts travel rules); SFA Travel Guidelines; Fraud (2.7)

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

**Contact for Revision:** Controller

**Forms:** None

**Board Committee Assignment:** Finance and Audit