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The meeting was called to order at 9:15 a.m. by Chair Kenneth James. Board members present in Room 307: Margarita de la Garza Graham, Valerie Ertz, Joe Max Green, Kenneth James, Gary Lopez, Paul Pond, Lyn Stevens, Mike Wilhite and Fred Wulf. Absent: None.

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

Executive Session was called at 9:15, and Open Session was announced at 12:15 p.m. There was a recess for lunch from 12:15 to 12:55, at which time the meeting resumed.

04-13
Upon motion of Regent Wulf, seconded by Regent Green, with all members voting aye, it was ordered that approval of the minutes of October 23, 2003 be tabled until the April meeting.

04-14
Upon motion of Regent Wulf, seconded by Regent Lopez, with all members voting aye, it was ordered that the following Personnel items be approved.

A. Faculty and Staff Appointments for 2003-2004

1. Intramurals

   Jason E. Saladiner, Intramural Supervisor, at a salary of $22,746 for 100% time for 9 months, effective November 1, 2003.

2. Athletics

   Mr. Michael Santiago, Head Football Coach, at a salary of $104,376 for twelve months, effective February 1, 2004.
Mr. Robert Kim Dameron, Assistant Coach, at a salary of $65,120 for 10.5 months, effective February 1, 2004.

Mr. Todd Ivicic, Assistant Coach, at a salary of $55,022 for 10.5 months, effective February 1, 2004.

Mr. William S. Reed, Assistant Coach, at a salary of $56,288 for 10.5 months, effective February 1, 2004.

Mr. Greg Z. Stevens, Assistant Coach, at a salary of $50,898 for 10.5 months, effective February 1, 2004.

Mr. Robert Walker, Assistant Coach, at a salary of $60,206 for 10.5 months, effective February 1, 2004.

Mr. Kenny Washington, Assistant Coach, at a salary of $53,027 for 10.5 months, effective February 1, 2004.

B. Changes of Status for 2003-2004

1. Early Childhood Lab

Ms. Karen Briley, from Master Teacher Toddler II at a salary of $31,526 for 100% time for twelve months, to Master Teacher PKI at a salary of $32,526 for 100% time for twelve months, effective February 1, 2004.

Ms. Melissa L. McCormack, from Teacher Aide at a salary of $21,588 for 100% time to Lead Teacher at a salary of $25,632 for 100% time for twelve months, effective November 1, 2003.

Ms. Rebecca P. Kilmer, from Substitute Teacher at an hourly rate of $6.50, to Teacher at a salary of $24,943 for 100% time for twelve months, effective December 15, 2003.

2. Financial Aid

Belinda K. Davis, from Admissions Fund Manager at a salary of $25,092 for 100% for 12 months to Financial Aid Officer at a salary of $27,000 for 100% for 12 months, effective October 27, 2003.
3. **Forestry**

Dr. Hans M. Williams, from Professor at a salary of $56,557 for 100% time for nine months, to Professor and Kenneth Nelson Distinguished Professor for a salary of $66,557 for 100% time for nine months, effective March 1, 2004.

4. **Nursing**

Ms. Della E. Connor, from Clinical Instructor at a salary of $30,000 for 75% time for nine months, to Clinical Instructor at a salary of $40,000 for 100% time for nine months, effective January 1, 2004.

5. **Research and Sponsored Programs**

Ms. Heather L. Slough, from Assistant Director at a salary of $39,461.04 for 100% time for twelve months, to Interim Director at a salary of $45,461.04 for 100% time for twelve months, effective October 1, 2003.

6. **Agriculture**

Mr. Dennis J. Chessman, from Associate Director of Soil Lab and Instructor at a salary of $38,731 for 100% time for twelve months, to Associate Director of Soil Lab and Assistant Professor at a salary of $54,391 for 100% time for twelve months, effective January 1, 2004. Change in status was contingent upon completion of doctorate by January 1, 2004. Ph.D. was received from Texas A&M, December, 2003.

7. **Controller**

Tamara Hart, from Manager at a salary of $48,000 for 100% time for twelve months, to Assistant Controller at a salary of $55,000 at 100% time for twelve months, effective February 9, 2004.

8. **Criminal Justice**

Dr. Ron Robinson, from VME status at a salary of $21,890 for 46.75% time for three years effective September 1, 2003, to Associate Professor at a salary of $46,825 for 100% time for nine months, effective September 1, 2003.
9. University Police

Mr. Christopher T. Rivers, from Police Officer II at a salary of $28,288 for 100% time for twelve months, to Assistant Chief of Police at a salary of $54,780 for 100% time for twelve months, effective February 9, 2004.

C. Retirements for 2003-2004

1. Early Childhood Lab

Ms. Catherine F. Barra, Master Pre-K I Teacher, effective January 30, 2004.

D. Voluntary Modification of Employment for 2003-2004

1. Economics and Finance

Dr. Reynolds Griffith, Professor, effective Fall semester, 2004.

E. Administrative Leaves for 2003-2004

1. Political Science and Geography

Michael T. Tkacik, Assistant Professor, Fulbright Scholarship Leave of Absence with partial pay of $10,000 effective Spring semester, 2004.

04-15
Upon motion of Regent Wilhite, seconded by Regent Wulf, with all members voting aye, it was ordered that the following Academic and Student Affairs items be approved.

A. Faculty Workload Report for Fall 2003 - the faculty workload report for Fall 2003 was approved.

B. Last Class Day Report - the last Class Day Report for Summer I, Summer II and Fall semester, 2003 was approved as presented.

04-16
Upon motion of Regent Stevens, seconded by Regent Ertz, with all members voting aye, it was ordered that the following Academic and Student Affairs item be approved.
A. **Forestry Masters Degree Name Change** - approval was given to change the Master of Science in Forestry degree to a Master of Science degree with majors in Forestry and Spatial Science, pending Coordinating Board approval.

04-17
Upon motion of Regent Wulf, seconded by Regent Green, with all members voting aye, it was ordered that the following Academic and Student Affairs item be approved.

A. **Approval of the Fifth Grade Addition to the Charter School** - the addition of 5th grade to the Charter School at SFA starting Fall 2004 was approved.

04-18
Upon motion of Regent Pond, seconded by Regent Stevens, with all members voting aye, it was ordered that the following Academic and Student Affairs item be approved.

A. **Dormitory Scholarships** - approval was given to allocate $204,000 to support dormitory scholarships.

04-19
Upon motion of Regent Wilhite, seconded by Regent Wulf, with all members voting aye, it was ordered that the following Academic and Student Affairs item be approved.

A. **Patent License** - the President was authorized to sign any contracts or agreements regarding licensing rights for Dr. Shiyou Li’s sponsored research, as reviewed and approved by the General Counsel.

04-20
Upon motion of Regent Wulf, seconded by Regent Ertz, with all members voting aye, it was ordered that the following Financial Affairs items be approved.

A. **Resolution to Review Qualified Investment Brokers and Financial Institutions** - the Resolution was approved as presented in Appendix No. 2. The following brokers/investment managers are listed in the resolution: Merrill Lynch Inc., Neuberger Berman, Fayez Sarofim & Co., John A. Levin & Co., Lazard Asset Management, Franklin Private Client Group, Inc., MLIM L.P. Relative Value, Furman Selz Capital, and NFJ Investment/PIMCO Allianz. The following financial institutions are also listed in the resolution for review and approval: Citizen’s First Bank, Commercial Bank of Texas, First Bank and Trust East Texas, Bancorp South Fredonia, Region’s Bank Stone Fort, and Texas Bank.

B. **Standards of Conduct for Financial Advisors and Managers** - the Standards of Conduct for Investment Advisors were approved as presented in Appendix No. 3.
C. **Interagency Contract for Annual Software Maintenance** - the President or his designee was authorized to sign the proposed Interagency Contract for Services for Software Maintenance of SCT Products (Contract) and to issue the necessary purchase orders and/or agreements. Annual renewals of this maintenance arrangement through August 31, 2009 as specified in Exhibit A to the Contract shall be at the option of the administration. The cost for Fiscal Year 2004 is $178,746 and is included in the University's Fiscal Year 2004 budget.

D. **Equestrian Center Equipment Funds** - the University was authorized to spend the FY 2004 HEAF funds allocated to the beef program and the contingency, plus any unused funds from the construction project (estimated at $25,000) to equip the equestrian facility. The university was authorized to expend the $25,000 allocated to the swine and poultry programs to support the cost of physical plant projects for those programs.

E. **Budget Changes Less Than $50,000** - no action required.

F. **Budget Increases for Marketing** - approval was given to FY-04 budget increases of $105,449 for marketing and $4,891 for Office of Public Affairs staffing.

G. **Marketing Contract** - the President was authorized to sign a marketing contract for a sum not to exceed $125,000. This amount includes a combination of already budgeted funds and a portion of the requested increase in FY-04 marketing funds, as well as $7,435 for Web site review and recommendations that would be contingent on FY-05 funding.

H. **University Insurance — Property, Casualty, Liability** - the University was given authorization to cancel fiscal year 2004 Royal & Sunalliance insurance coverage for business automobile, boiler and machinery, commercial property-auxiliary, contractors' equipment and commercial general liability and to acquire replacement coverage with Travelers. The University was also authorized to acquire law enforcement liability and physical/sexual abuse insurance with Travelers. These changes are to be effective as soon as possible. Arrangements for the changes are to be made through the University's agent, USI Southwest. The University was also authorized to develop a RFP document for University insurance to procure coverage effective September 1, 2004 or as soon thereafter as is practical. The University was authorized to extend the date of the Travelers policies as necessary until coverage is effective for fiscal year 2005.

I. **Privatization of the University Center Bookstore** - upon recommended by the Ad Hoc Committee on University Center Expansion and Renovation, it was ordered that the administration solicit proposals for the privatization of the University Center Bookstore.
Upon motion of Regent Wilhite, seconded by Regent Ertz, with all members voting aye, it was ordered that the following Buildings and Grounds items be approved.

A. **Piney Woods Conservation Center Sewer Treatment Facility** - the University was authorized to employ Jerry G. Ince, P.E. to design the surface flow wetland system to serve the Piney Woods Conservation Center. The cost will not exceed $12,500 and will be paid from FY 04 budgeted HEAF.

B. **Nelson Rusche College of Business Educational Investment Center** - the University was authorized to renovate an existing classroom in the McGee Building to create a high-tech, multi-media classroom. Cost of the project is approximately $80,000. All funds to support the cost of the project are on deposit with the SFASU Foundation. SFA Physical Plant employees will complete all work for the project.

D. **Utility Easement** - the President was authorized to sign the Easement Approval to Deep East Texas Electrical Cooperative for the primary electrical service at the Equine Center on the Walter C. Todd Beef Farm. The easement required is ten feet wide by approximately 400 feet long, running from CR 123 South to the location of a pad mounted transformer East of the new facility.

The following Buildings and Grounds items were tabled for further review, and will be brought before the April meeting.

C. **University Center Expansion and Renovation**

E. **Real Estate Transactions**

Upon motion of Regent Stevens, seconded by Regent Green, with all members voting aye, it was ordered that the following Private Support Agreement be approved.

A. **Stephen F. Austin Quarterjack Club** - the private support organization agreement between the Stephen F. Austin Quarterjack Club and the University was approved.

The following Private Support Agreement was tabled and will be brought back to the Board at a later date.

B. **Stephen F. Austin Tip-In Club**
Upon motion of Regent Stevens, seconded by Regent Green, with all members voting aye, it was ordered that the following University Policies and Procedures item be tabled until it is reviewed by the Finance Committee, and that the item be returned to the agenda at the April Board meeting.

A. **Resolution to Acknowledge Review of Investment Policy and Strategy**

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

A. **Policy Revisions** - the policy revisions were adopted as presented, with the exception of policies C-2 Annual Budget Preparation, and C-41 Investments, which were tabled until the April meeting.

B. **Board Meeting Schedule** – a telephone Board meeting was scheduled for Wednesday, February 18 at 1:00 regarding the University Center Bond Sale. The April Board meeting was scheduled for Tuesday, April 20. The Board will be polled regarding which day of the week is best for future meetings. There was discussion regarding a Board retreat.

**REPORTS**

A. **Faculty Senate**
   1. Faculty Senate Business
   2. Progress on Tenure and Promotion Issues
   3. Faculty Salaries
   4. Classroom Improvements

B. **Student Government Association**
   1. Commencement
   2. Housing
   3. HPE/Rec Center
   4. Voter Registration Drives
   5. Library Hours of Operation during Dean Week and Finals Week

C. **Vice President for Alumni Affairs**
   1. Alumni Affairs Update
   2. Mentor Ring Program

D. **Vice President for University Advancement**
   1. Planned Giving

E. **President**
   1. Nacogdoches/Lufkin Day in Austin (January 28, 2004)
2. Round of Texas High School Counselor Breakfast Appreciations (Texarkana on February 13, 2004)
3. University Center Bond Sale on February 18, 2004 at 1:00 p.m.
4. Visit by delegation of University Personnel from Xian, China (February 24-26, 2004)
7. Answer Questions from Members of the Board of Regents

F. **Athletic rivalry traditions** – Eva Pack, Jim Corbin, and Jim Conditt

G. **Board Committees** – Chair Kenneth James made the following appointments:

**Executive Committee**
Kenneth James, Chair
Lyn Stevens, Vice Chair
Fred Wulf, Secretary

**Academic and Student Affairs Committee**
Margarita de la Garza-Grahm, Chair
Kenneth James
Paul Pond

**Buildings and Grounds Committee**
Mike Wilhite, Chair
Gary Lopez
Joe Max Green

**Finance Committee**
Fred Wulf, Chair
Lyn Stevens
Valerie Ertz

**Nominating Committee**
Lyn Stevens, Chair
Gary Lopez
Margarita de la Garza-Grahm

Meeting adjourned at 3:15 pm.
REGULAR MEETING OF THE BOARD OF TRUSTEES
Nacogdoches Independent School District

DATE: December 18, 2003
TIME: 6:00 p.m.
PLACE: NISD Board Room, 511 South University Drive, Nacogdoches, Texas

PRESENT: Board Members: President Richard Fischer, Vice President Almarie Henderson, Secretary Phil Mahar, Rex Humphreys, Duncan Rogde, and Tony Thompson were present. Board Member Lay Knott was unable to attend the meeting. Administrative Staff: Superintendent Tony Riehl, Peggy Cox, Ray Glynn, G.W. Neal, Charles Langlotz, Liz Ballenger, Rachel Johnson, Delinda Neal, Debbie Walker, Donna Brown, Ross Holbrook, Michael Martin, Dan Stanley, Julie Davis, Logan Faris, Shelton Jones, Tina Bobbitt, Margo Russell, Kathi Stalnaker, Pam Alexander, Trudy Hay, Malinda Lindsey, Debbie Grubbs, and Connie Reed.


1. Opening Items

1.1 Call to Order, Legal Notice of Meeting, Invocation, Pledge of Allegiance

President Fischer called the meeting to order at 6:00 p.m. Legal notice had been posted. Rex Humphreys gave the invocation. Tony Riehl led the Pledge of Allegiance.

2. Open Forum

No guests requested to address the Board.

3. Recognition

3.1 Recognition – NISD Employees Retirements

Plaques were presented to the following retiring employees recognizing them for their years of service to NISD:

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<th>Name</th>
<th>Assignment</th>
<th>Years With NISD</th>
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<tr>
<td>Donna J. Christopher</td>
<td>Science - Nacogdoches H.S.</td>
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<td>Marjorie Nelle Cueni</td>
<td>Librarian - Carpenter Elementary</td>
<td>14</td>
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<tr>
<td>Brenda F. Drewery</td>
<td>Print Shop Operator</td>
<td>28</td>
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<tr>
<td>Lois S. Fitch</td>
<td>Counselor - Nacogdoches H.S.</td>
<td>20</td>
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<td>Dona G. Fowler</td>
<td>Second Grade - Carpenter Elementary</td>
<td>13</td>
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<tr>
<td>Reba A. Fuller</td>
<td>Secretary to Dir. of CATE</td>
<td>20</td>
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<tr>
<td>Gloria Jean Gresham</td>
<td>Exec. Director of Instruction</td>
<td>26</td>
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<tr>
<td>Maye F. Ham</td>
<td>English - Nacogdoches H.S.</td>
<td>18</td>
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<tr>
<td>Anita J. Hutson</td>
<td>Clerical Aide - Band - Nacogdoches H.S.</td>
<td>4</td>
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<td>Russell N. Lawrence</td>
<td>Industrial Tech - Nacogdoches H.S.</td>
<td>19</td>
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At each Board Member’s place was an invitation from Marsha Blount, Art Teacher at Nacogdoches High School, for a student Art Show in January and a copy of the group picture of Board Members and Superintendent Riehl.

5. Consent Agenda
President Fischer requested Board Members who wished to discuss any item on the Consent Agenda to please indicate the agenda number and it would be set aside for discussion at the appropriate time.

CONSENT AGENDA MOTION: Upon a motion by Tony Thompson and second by Almarie Henderson, the Board unanimously approved the Consent Agenda as presented.

5.1 Consideration - Approval of Board Meeting Minutes
Consent Agenda - Action Item – The Board unanimously approved, as presented, the minutes for the Regular Board Meeting held November 20, 2003.

5.2 Report/Consideration – Information From Business Office on School District Operations
Consent Agenda – Action Item – The Board unanimously approved the payment of bills as presented and reviewed standard reports prepared by the Business Office.

5.3 Consideration - Approval to Close District Bank Accounts
Consent Agenda – Action Item – The Board unanimously approved the closure of the following bank accounts which are no longer needed:

The Health Trust bank account at Regions Bank. The District no longer has a self-funded Health Insurance Trust Plan and the balance in the account is zero.

The Section 125 bank account established last year under AFLAC at the Columbus Bank in Columbus, GA. Since it is an out-of-state bank, the account should be closed as soon as possible after it reaches a zero balance, which will be in January 2004.

5.4 Consideration – Annual Approval to Continue NISD/SFASU Charter School And To Add Fifth Grade for the 2004/2005 School Year
Consent Agenda – Action Item – The Board unanimously approved the Superintendent’s recommendation to continue the NISD/SFASU Charter School Program for the 2003/2004 school year, and for the Charter School Governance Council to include the addition of fifth grade in preparation for the 2004/2005 school year.

5.5 Consideration – Approval of Amendments to the NISD Gifted and Talented Plan
Consent Agenda – Action Item – The Board unanimously approved amendments to the NISD Gifted and Talented Plan as presented. (A copy of the plan will be included in the Official Minute Book.)

5.6 Consideration – Approval of Career and Technology Education Courses at NHS
Consent Agenda – Action Item – The Board unanimously approved the addition of the following new Career and Technology courses to the Nacogdoches High School curriculum:
At 8:20 p.m., the Board reconvened into open session.

MOTION: Phil Mahar moved to affirm the Administration's decisions on the complaint filed by Kathy Conroy. Duncan Rodge seconded the motion. Motion carried unanimously with all six Board Members voting in favor of the motion.

President Fischer stated the decision of the Board is final and is not subject to rehearing. The hearing concluded at 8:23 p.m.

7. Executive or Closed Session Agenda
The Board did not enter into Executive/Closed Session for any agenda item other than as stated in Agenda Item 6.5- Consideration of Kathy Conroy Level III Complaint (Texas Gov't Code Section 551.082 - Employee/Employee Complaint).

8. Action On Item Discussed in Executive Session
No action taken by the Board other than in Agenda Item 6.5 - Consideration of Kathy Conroy Level III Complaint (Texas Gov't Code Section 551.082 - Employee/Employee Complaint).

MOTION TO ADJOURN: There being no further business, Board Member Rex Humphreys moved to adjourn at 8:24 p.m.

Richard Fischer, Board President
Phil Mahar, Board Secretary
RESOLUTION APPROVING
FINANCIAL INSTITUTIONS AND BROKERS
FOR INVESTMENT TRANSACTIONS

WHEREAS, The Texas Public Funds Investment Act requires the University to submit a resolution approving a list of qualified investment brokers to the governing body of the institution for adoption and/or review; and

WHEREAS, the following firms are approved investment brokers:
- Merrill Lynch, Inc.
- Neuberger Berman
- Fayez Sarofim & Co.
- John A. Levin & Co
- Lazard Asset Management
- Franklin Private Client Group, Inc.
- MLIM L.P. Relative Value
- Furman Selz Capital
- NFJ Investment/PIMCO Allianz

WHEREAS, the following firms are approved financial institutions:
- Citizen's First Bank
- Commercial Bank of Texas
- First Bank and Trust East Texas
- Bancorp South Fredonia
- Region's Bank Stone Fort
- Texas Bank

NOW THEREFORE BE IT RESOLVED that the Stephen F. Austin State University Board of Regents, by the issuance of this Resolution, does hereby approve the above listed firms for investment transactions by Stephen F. Austin State University; and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the February 4, 2004 meeting of the Board.

THE BOARD OF REGENTS, STEPHEN F. AUSTIN STATE UNIVERSITY

Kenneth James, Chair
Fred Wulf, Secretary
DRAFT

Stephen F. Austin State University
Standards of Conduct for Financial Advisors
January 1, 2004

Stephen F. Austin State University by rule of the Board of Regents, adopts rules of conduct for financial advisors as presented.

All entities who provide or offer to provide financial advisory services to Stephen F. Austin State University must abide by the following standards of conduct:

1. Each financial organization must engage in and promote honest and ethical conduct, including the ethical handling of actual or apparent conflicts of interest between personal and professional relationships;

2. Comply fully with the requirements of the Texas Public Funds Investment Act, Texas Government Code, Chapter 2256 as delineated in the University’s Operating Funds Investment Policy regarding the investment or investment management of state funds;

3. Acknowledge in writing that the financial organization offering to engage in investment advisory services has read and agrees to comply with the requirements of the University’s operating and endowment investment policies;

4. Immediately disclose any information to the University of any industry related or investment management problems or concerns that might adversely impact the reasonable performance of the University’s funds;

5. Immediately disclose any change in the key personnel within the organization that provides financial advisory services to the University;

6. Provide investment advisory, management, and broker services in accordance with the highest standards of financial industry professionalism and accountability.
Interagency Contract for Services

THIS CONTRACT is entered into by and between the Contracting parties as stated below, pursuant to the authority granted and in compliance with the provisions of "The Interagency Cooperation Act," Texas Government Code, Ch. 771.

I. CONTRACTING PARTIES:

The Receiving Agency: Stephen F. Austin State University
P.O. Box 13012
Nacogdoches, TX 75962

The Performing Agency: Texas A&M University-Corpus Christi
6300 Ocean Drive
Corpus Christi, TX 78412

II. STATEMENT OF SERVICES TO BE PERFORMED:

Texas A&M University-Corpus Christi will perform the services as Assignee as, described in the Third Amendment to 2002 Master Software License, Services and Maintenance Agreement by and between State of Texas, acting by and through The Department of Information Resources, Texas A&M University-Corpus Christi, and SCT Software & Resource Management Corporation dated effective June 9, 2003 attached and entitled the Third Amendment to 2002 Master Software License, Services and Maintenance Agreement, (hereinafter referred to as "the Agreement").

"The Agreement" describes the Texas Connection Consortium or TCC. The Receiving Party may be referred to in "the Agreement" as a TCC Member; the participating institutions may be collectively referred to as the TCC membership.

III. BASIS FOR CALCULATING REIMBURSABLE COSTS:

The Receiving Party may receive products, maintenance and technical support services through this agreement as the rates set forth in "the Agreement".

IV. CONTRACT AMOUNT:

The total amount of this Contract shall not exceed:

Three hundred seventy thousand, four hundred twenty-three dollars, ($370,423.04).

The purchase of additional software licenses and associated maintenance fees during the term of this agreement will be added to the contract amount and billed by the Performing Party.
V. PAYMENT FOR SERVICES:

Receiving Agency shall pay for services received from appropriation items or accounts of the Receiving Agency from which like expenditures would normally be paid, based upon special vouchers drawn by the Receiving Agency, or through electronic transactions, payable to Performing Agency.

Payments for services performed shall be billed annually and upon placement of an order for additional software and the prorated maintenance.

Payments received by the Performing Agency shall be credited to its current appropriation item(s) or account(s) from which the expenditures of that character were originally made.

VI. TERM OF CONTRACT:

This Contract is to begin June 9, 2003 and shall terminate August 31, 2005. (Term of Contract cannot transcend the biennium.) The term of “Exhibit A” ends August 31, 2009, and it is anticipated that the parties shall renew this agreement each biennium extending through August 31, 2009.

Software licenses and associated maintenance may be terminated during the term of this agreement upon written notice to the Performing Party, subject to the payment obligation provided for in Attachment E1 of “the Agreement”.

THE UNDERSIGNED CONTRACTING PARTIES do hereby certify that: (1) the services specified above are necessary and authorized for activities that are properly within the statutory functions and programs of the affected agencies of State Government, and (2) the services, materials, or equipment contracted for are not required by Section 21 of Article XVI of the Constitution of Texas to be supplied under contract given to the lowest responsible bidder.

RECEIVING AGENCY further certifies that it has the authority to contract for the above services by authority granted in the Texas Education Code, § 101.41.

PERFORMING AGENCY further certifies that it has authority to perform the services contracted for by authority granted in the Texas Education Code, § 85.21 and 87.401.

The undersigned parties bind themselves to the faithful performance of this contract.

RECEIVING AGENCY
Stephen F. Austin State University
P.O. Box 13012
Nacogdoches, TX 75962

By:__________________
Authorized Signature

Mr. Bill Wagner
Director, Information Technology Services

Date:__________________
e-mail: bwagner@sfasu.edu

PERFORMING AGENCY
Texas A&M University-Corpus Christi
6300 Ocean Drive
Corpus Christi, TX 78412

By:__________________
Authorized Signature

Kathryn Funk-Baxter,
Asst. Vice-President and Comptroller

Date: October 20, 2003
e-mail: Kathryn_Funk-Baxter@tamu.cc.edu
EXHIBIT A

SCHEDULE OF SERVICES TO BE PERFORMED

The Department of Information Resources (DIR) has entered into a "Software License and Services Agreement" with SCT Software & Resource Management Corporation (SCT) with an effective date of June 30, 1995, and a "Technical Currency/Software Maintenance Agreement for Existing Software, Initial License, and Optional License" of even date therewith (collectively referred to as the SCT Contract). Under the SCT Contract, SCT has granted to DIR, for the benefit of certain educational institutions (the Institutions), a perpetual, non-transferable, non-exclusive license to the Licensed Software described therein. TheLicensed Software consists of those products that, at the time in question, SCT makes available for licensure to DIR, and includes, without limitation, the BANNER 2000 and the Plus 2000 application software series. The SCT Contract permits DIR and the Institutions to use the Licensed Software, including the source code, on a perpetual, nontransferable, non-exclusive basis, with certain other conditions and restrictions. In addition to the license, the SCT Contract obligates SCT to provide certain services to the Institutions, including technical currency and maintenance services, and to establish a Centralized Support Services Operation for an initial term of seven (7) years with an initial staffing of four (4) full-time employees.

By means of a separate agreement, DIR and the participating Institutions shall form a governing board (the Board) that will perform certain strategic functions in connection with the administration of the SCT Contract, including, among others, Contract Administration, Fiscal Management, Planning, and prioritization of conflicting task requests submitted to the Centralized Services Support Operation. All requests for specific Centralized Support Services shall be made to DIR and communicated by DIR to SCT after approval by the Board. The Board will prioritize specific task requests and mediate any conflicts between or among Institutions with respect to utilization of the Centralized Support Services Operation. By signing this agreement, the Receiving Party acknowledges that the Board shall have the authority to resolve disputes regarding the Texas Connection Consortium program, and the Receiving Party therefore agrees to accept the decisions of the Board to the extent such decisions may affect its interests in the program.

Payment for the initial license and/or continuing of the Licenses shall be made to DIR upon execution of this agreement. The amount of such payment shall be based on the applicable discount of SCT software and time of purchase but not less than 30% of the list price license fee for the applicable software as of the effective date of the SCT Contract. Payment(s) for optional licenses of the Licensed Software that are obtained no later than August 31, 1999 shall be made to DIR at the time of purchase of the applicable licenses. Additional maintenance purchased shall be pro-rated based on purchase price x 15% multiplied by the remaining months in the contract year divided by 12.

Payment for technical support center and maintenance services shall be made to DIR on an annual basis. Payment for the first year of such services shall be made upon execution of this agreement.
Fees for such services shall be as set forth in the SCT Contract. Such fees are stated in aggregate amounts and shall be prorated among the participating Institutions by DIR and the consortium board. Such fees are subject to an annual adjustment under the terms of the SCT Contract.

SCT will not increase maintenance more than three percent (3%) per year during the first seven (7) years of the SCT Contract, and shall not increase more than seven percent (7%) per year during the three (3) years following the expiration of the initial 7-year term. DIR shall forward to SCT all payments received, minus any deductions for payment of the administrative fee described below. Payment must be made no later than thirty (30) days after the date the Receiving Party received the ITV or voucher from DIR; late payments shall be subject to an additional charge to be determined by the Board.

Payment for Technical Support Services provided by SCT shall be made to DIR on an annual basis. Payment for the first year of such services shall be made upon execution of this agreement. Fees shall be as set forth in the SCT Contract. Such fees are stated in aggregate amounts and shall be prorated among the participating Institutions by DIR and the consortium board. Such fees are subject to an annual cost-of-living adjustment of five percent (5%) per year under the terms of the SCT Contract. DIR shall forward to SCT all payments received, minus any deductions for payment of the administrative fee described below. Payment must be made no later than thirty (30) days after the date the Receiving Party received the ITV or voucher from DIR; late payments shall be subject to an additional charge to be determined by the Board.

Implementation/support fees shall be at the rates specified in the SCT Contract. The SCT Contract also requires the payment of other expenses, including travel expenses, as may be incurred by an Institution during the term of the SCT Contract. Implementation/support fees and other expenses shall be paid directly to SCT by each participating Institution.

As consideration for the services performed under this contract, DIR shall charge an administrative fee negotiated with consortium board calculated to recover the cost of negotiating, drafting and administering the SCT Contract and this contract. Recognizing that DIR must recover direct and overhead cost associated with the management of SCT Contract, the initial mechanism for recovery was established through the Texas Connection Contracts. These contracts called for a 5% recovery on the software license fees paid by the members and a 5% recovery on annual software maintenance fees and other fees obtained from SCT by the Members under the SCT Contract. Additionally, an annual 5% increase from this base has been agreed to by the current principals. Such administrative fees shall be deducted from amounts collected from the Receiving Party for the payment of license and services fees. If any amounts are collected by DIR in excess of its costs, such excess amounts shall be tendered to the Board, which shall have full discretion regarding the use of such funds; PROVIDED, HOWEVER, the Board shall ensure that all such sums are expended only for legitimate public purposes in connection with the Texas Connection program for the benefit of the participating Institutions.

The TCC board will charge a one time fee to all institutions utilizing this contract which will be due and payable to the TCC board through the Department of Information resources.
## Stephen F. Austin State University
### Schedule of Budget Changes
#### September 10, 2003 to January 19, 2004

<table>
<thead>
<tr>
<th>ACTIVITY RECIPIENT</th>
<th>ACCOUNT NUMBER</th>
<th>INCOME SOURCE</th>
<th>AMOUNT</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Broiler Houses</td>
<td>2-02067</td>
<td>Additional Revenue</td>
<td>50,000</td>
<td>11/1/2003</td>
</tr>
<tr>
<td>Homecoming</td>
<td>3-00314</td>
<td>Additional Revenue</td>
<td>3,447</td>
<td>11/10/2003</td>
</tr>
<tr>
<td>String Studies</td>
<td>5-96229</td>
<td>Additional Revenue</td>
<td>5,656</td>
<td>11/11/2003</td>
</tr>
<tr>
<td>FOA Music Tickets</td>
<td>5-96341</td>
<td>Additional Revenue</td>
<td>4,065</td>
<td>11/11/2003</td>
</tr>
<tr>
<td>Children's Performing Arts</td>
<td>4-66075</td>
<td>Additional Revenue</td>
<td>40,600</td>
<td>12/5/2003</td>
</tr>
<tr>
<td>Secondary Education</td>
<td>2-02300</td>
<td>Additional Revenue</td>
<td>12,071</td>
<td>12/5/2003</td>
</tr>
<tr>
<td>AA&amp;S SAT Prep</td>
<td>2-51410</td>
<td>Additional Revenue</td>
<td>550</td>
<td>12/5/2003</td>
</tr>
<tr>
<td>Halls/Apartment Agency</td>
<td>4-91731</td>
<td>Additional Revenue</td>
<td>9,083</td>
<td>12/12/2003</td>
</tr>
<tr>
<td>RHA President</td>
<td>4-91732</td>
<td>Additional Revenue</td>
<td>4,156</td>
<td>12/11/2003</td>
</tr>
<tr>
<td>American Language Institute</td>
<td>2-33370</td>
<td>Additional Revenue</td>
<td>12,795</td>
<td>1/9/2004</td>
</tr>
</tbody>
</table>

**TOTAL** 142,422
AGREEMENT BETWEEN
STEPHEN F. AUSTIN STATE UNIVERSITY
AND
STEPHEN F. AUSTIN QUARTERJACK CLUB

1. PARTIES

1.1 Stephen F. Austin State University (the "University") is an agency of the State of Texas, organized and existing under Chapter 101, Texas Education code, as an institution of higher education located in Nacogdoches, Texas. The governing body of the University is the Board of Regents (collectively, the "Regents").

1.2 Stephen F. Austin QuarterJack Club (the "Club") is a non-profit corporation under the laws of the State of Texas for the sole purpose of supporting the intercollegiate football program of the University. The governing body of the Club is its Board of Directors (collectively, the "Directors").

2. PURPOSE

2.1 The Club is a private support organization as defined in Chapter 2255 of the Texas Government Code.

2.2 The University is a state agency as defined in Chapter 2255 of the Texas Government Code.

2.3 The parties are entering into this agreement for the purpose of defining the relationship between them pursuant to Chapter 2255 of the Texas Government Code, and to implement the policy (D-25.5) of the Regents governing the University's relationship with private support organizations.

2.4 While this agreement is in effect, the University recognizes the Club as existing solely for the support of the intercollegiate football program of the University. The parties agree that the Club is a necessary and beneficial component of the University's overall program for university advancement and exists solely to receive, hold, manage and control gifts, grants or acquisitions that benefit the intercollegiate football program of the University.

3. TERM

3.1 Provided the Club has first executed this agreement, this agreement is effective upon its approval by the Regents.
3.2 This agreement will continue in effect until terminated. Either party may terminate this agreement by giving ninety days' written notice to the other party. Notwithstanding anything to the contrary, this agreement shall automatically terminate should the Club's 501(c)(3) status be terminated by the IRS.

3.3 Any violation, knowingly or without regard for same by the Club or any member of the Club, of a rule or regulation of the NCAA, Southland Conference, or Stephen F. Austin State University will result in immediate termination of this agreement, resulting in disassociation procedures by Stephen F. Austin State University.

4. ORGANIZATION OF THE CLUB

4.1 The direction and management of the affairs of the Club and the control and disposition of its assets shall be vested in a Board of Directors which shall be governed by its Bylaws.

4.2 The Athletic Director of the University may serve as an ex officio, non-voting member of the Board of Directors.

4.3 The officers of the Club shall be a President, a Vice President, and a Secretary/Treasurer.

5. USE OF UNIVERSITY PERSONNEL AND SPACE BY THE CLUB

5.1 The University may provide personnel as necessary in the determination of the Athletic Director of the University for the support of the Club's business activities.

5.2 The University may provide office space, equipment, and supplies as necessary in the determination of the Athletic Director of the University for the Club to carry out its responsibilities and activities.
Agreement between
Stephen F. Austin State University and
Stephen F. Austin Quarterjack Club

Page 3

5.3 The personnel services, office space, equipment, and supplies provided by the University under this agreement shall be made without charge to the Club.

5.4 Since all funds of the Club are transferred to intercollegiate football accounts within the University, there will be no compensation of University personnel for their services to the Club.

5.5 Any conflict between University employees' fiduciary responsibilities to either the University or the Club will be resolved in favor of the University.

6. CLUB INVESTMENTS AND RECORD-KEEPING

6.1 All operating funds belonging or entrusted to the Club that remain unused at the end of each fiscal year shall be transferred to intercollegiate football accounts within the University in accordance with the general or specific purposes stipulated by the donors, grantors or testators or, in the absence of such stipulations, for such uses in support of intercollegiate football at Stephen F. Austin State University as may be determined by the Club's Board of Directors.

6.2 The Club, upon University's request, shall have or cause to be performed an independent, external audit of its records and operations.

7. FUND RAISING EFFORTS OF THE CLUB

7.1 The coordination of the Club's fundraising efforts/activities shall be through the Athletic Director of Stephen F. Austin State University or other authorized representative of the Stephen F. Austin State University athletic program in accordance with all University fundraising procedures.
7.2 The Stephen F. Austin Quarterjack Club is authorized to do the following:

(1) To receive, hold, manage and control gifts and grants in support of the intercollegiate football program at Stephen F. Austin State University.

(2) To transfer into University intercollegiate football accounts all or any part of the gifts and grants received in accordance with the general or specific purposes stipulated by the donors, grantors or testators or, in the absence of such stipulations, for such purposes as may be determined by the Board of Directors.

(3) Write checks and disburse funds to discharge the Club's obligations. However, funds may not be drawn from the Club or its accounts for any amount without review and approval by the Athletic Director of Stephen F. Austin State University or other authorized representative of the Stephen F. Austin State University athletic program. In addition, funds may not be used or disbursed by the Club that would violate any law of the State of Texas or could violate any rule or regulation of the NCAA, Southland Conference, or Stephen F. Austin State University.

7.3 The Athletic Department, through the Office of University Advancement, shall maintain all donor lists, files, and gift records, and will coordinate all donor recognition activities.
Agreement between
Stephen F. Austin State University and
Stephen F. Austin Quarterjack Club

Chair Date
Stephen F. Austin State University Board of Regents

President Date
Stephen F. Austin State University

President Date
Stephen F. Austin Quarterjack Club
AGREEMENT BETWEEN
STEPHEN F. AUSTIN STATE UNIVERSITY
AND
STEPHEN F. AUSTIN TIP-IN CLUB

1. PARTIES

1.1 Stephen F. Austin State University (the "University") is an agency of the State of Texas, organized and existing under Chapter 101, Texas Education code, as an institution of higher education located in Nacogdoches, Texas. The governing body of the University is the Board of Regents (collectively, the "Regents").

1.2 Stephen F. Austin Tip-In Club (the "Club") is a non-profit corporation under the laws of the State of Texas for the sole purpose of supporting the intercollegiate men's basketball program of the University. The governing body of the Club is its Board of Directors (collectively, the "Directors").

2. PURPOSE

2.1 The Club is a private support organization as defined in Chapter 2255 of the Texas Government Code.

2.2 The University is a state agency as defined in Chapter 2255 of the Texas Government Code.

2.3 The parties are entering into this agreement for the purpose of defining the relationship between them pursuant to Chapter 2255 of the Texas Government Code, and to implement the policy (D-25.5) of the Regents governing the University's relationship with private support organizations.

2.4 While this agreement is in effect, the University recognizes the Club as existing solely for the support of the intercollegiate men's basketball program of the University. The parties agree that the Club is a necessary and beneficial component of the University's overall program for university advancement and exists solely to receive, hold, manage and control gifts, grants or acquisitions that benefit the intercollegiate men's basketball program of the University.

3. TERM
3.1 Provided the Club has first executed this agreement, this agreement is effective upon its approval by the Regents.

3.2 This agreement will continue in effect until terminated. Either party may terminate this agreement by giving ninety days' written notice to the other party. Notwithstanding anything to the contrary, this agreement shall automatically terminate should the Club's 501(c)(3) status be terminated by the IRS.

3.3 Any violation, knowingly or without regard for same by the Club or any member of the Club, of a rule or regulation of the NCAA, Southland Conference, or Stephen F. Austin State University will result in immediate termination of this agreement, resulting in disassociation procedures by Stephen F. Austin State University.

4. **ORGANIZATION OF THE CLUB**

4.1 The direction and management of the affairs of the Club and the control and disposition of its assets shall be vested in a Board of Directors which shall be governed by its Bylaws.

4.2 The Athletic Director of the University may serve as an *ex officio*, non-voting member of the Board of Directors.

4.3 The officers of the Club shall be a President, a Vice President, and a Secretary/Treasurer.

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

5.1 The University may provide personnel as necessary in the determination of the Athletic Director of the University for the support of the Club's business activities.

5.2 The University may provide office space, equipment, and supplies as necessary in the determination of the Athletic Director of the University for the Club to carry out its responsibilities and activities.
5.3 The personnel services, office space, equipment, and supplies provided by the University under this agreement shall be made without charge to the Club.

5.4 Since all funds of the Club are transferred to intercollegiate men's basketball accounts within the University, there will be no compensation of University personnel for their services to the Club.

5.5 Any conflict between University employees' fiduciary responsibilities to either the University or the Club will be resolved in favor of the University.

6. CLUB INVESTMENTS AND RECORD-KEEPING

6.1 All operating funds belonging or entrusted to the Club that remain unused at the end of each fiscal year shall be transferred to intercollegiate men's basketball accounts within the University in accordance with the general or specific purposes stipulated by the donors, grantors or testators or, in the absence of such stipulations, for such uses in support if intercollegiate men's basketball at Stephen F. Austin State University as may be determined by the Club's Board of Directors.

6.2 The Club, upon University's request, shall have or cause to be performed an independent, external audit of its records and operations.

7. FUND RAISING EFFORTS OF THE CLUB

7.1 The coordination of the Club's fundraising efforts/activities shall be through the Athletic Director of Stephen F. Austin State University or other authorized representative of the Stephen F. Austin State University athletic program in accordance with all University fund raising procedures.
7.2 The Stephen F. Austin Tip-In Club is authorized to do the following:

(1) To receive, hold, manage and control gifts and grants in support of the intercollegiate men's basketball program at Stephen F. Austin State University.

(2) To transfer into University intercollegiate men's basketball accounts all or any part of the gifts and grants received in accordance with the general or specific purposes stipulated by the donors, grantors or testators or, in the absence of such stipulations, for such purposes as may be determined by the Board of Directors.

(3) Write checks and disburse funds to discharge the Club's obligations. However, funds may not be drawn from the Club or its accounts for any amount without review and approval by the Athletic Director of Stephen F. Austin State University or other authorized representative of the Stephen F. Austin State University athletic program. In addition, funds may not be used or disbursed by the Club that would violate any law of the State of Texas or could violate any rule or regulation of the NCAA, Southland Conference, or Stephen F. Austin State University.

7.3 The Athletic Department, through the Office of University Advancement, shall maintain all donor lists, files, and gift records, and will coordinate all donor recognition activities.
Agreement between
Stephen F. Austin State University and
Stephen F. Austin Tip-In Club

Chair
Stephen F. Austin State University Board of Regents

President
Stephen F. Austin State University

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

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

A. Administration and investment of funds received by the organization for the benefit of the University;

B. Use of an employee or property of the University by the donor or organization;

C. Service by an officer or employee of the University as an officer or director of the donor or organization; and

D. Monetary enrichment of an officer or employee of the University by the donor or organization;

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

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

Source of Authority: Board of Regents

Cross Reference: None

Contact for Revision: President

Forms: None
RESOLUTION TO ACKNOWLEDGE REVIEW OF INVESTMENT POLICY AND STRATEGY

WHEREAS, The Texas Public Funds Investment Act requires that each University’s investment policy and strategy must be annually reviewed by the governing board of the institution; and

WHEREAS, the law also requires the governing body to adopt a written instrument stating that it has reviewed the investment policy and strategy;

NOW THEREFORE BE IT RESOLVED that the Stephen F. Austin State University Board of Regents, by the issuance of this Resolution, does hereby approve the investment policy and strategy as reviewed on February 4, 2004; and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the February 4, 2004 meeting of the Board.

Attest:

Kenneth James, Chair

Fred Wulf, Secretary
<table>
<thead>
<tr>
<th>Appendix No. 8</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policies for Board Review</td>
</tr>
<tr>
<td>February 4, 2004</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Code</th>
<th>Policy Title</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>B-15</td>
<td>Issuance and Control of Campus Keys</td>
<td>Reviewed, no changes made</td>
</tr>
<tr>
<td>B-24</td>
<td>Property Transfer and Disposal</td>
<td>Adds requirement that microcomputers transferred between departments should be confirmed by the ITS Technical Support Group or the department’s designated technical representative to insure it meets minimum standards for reliability, performance and compatibility with current versions of software</td>
</tr>
<tr>
<td>B-32</td>
<td>Work Requests</td>
<td>Department, contact number and account number should be provided when requesting routine maintenance.</td>
</tr>
<tr>
<td>B-34</td>
<td>Property Liability</td>
<td>University employees will be provided a written document for acknowledgement that they will from time to time be entrusted with the proper maintenance and safekeeping of State and University property.</td>
</tr>
<tr>
<td>C-2</td>
<td>Annual Budget Preparation</td>
<td>Budgets will be submitted to the Board of Regents for final consideration; schedule for preparation of the budget with be determined by the Vice President for Business Affairs in association with the President’s Cabinet; schedule may allow for Board review in April on even-numbered years and July for odd-numbered years</td>
</tr>
<tr>
<td>C-7</td>
<td>Best Value Procurement</td>
<td>Major rewrite</td>
</tr>
<tr>
<td>C-8</td>
<td>Computer Equipment Purchases</td>
<td>The Purchasing Department will provide the Director of Information Technology Services with a copy of the purchase of computer-related items as needed</td>
</tr>
<tr>
<td>C-10</td>
<td>Delegated Purchasing Authority</td>
<td>Added references to other policies; department head/account manager approving an unauthorized purchase is responsible to insure that the account used for payment has sufficient funds</td>
</tr>
<tr>
<td>C-16.5</td>
<td>Historically Underutilized Businesses</td>
<td>Major rewrite</td>
</tr>
<tr>
<td>C-41</td>
<td>Investments</td>
<td>In order to comply with the audit requirements of the Texas Public Funds Investment Act, the University’s Department of Audit Services shall conduct audits and reviews of the University’s investment function and report the findings to the appropriate oversight authorities.</td>
</tr>
<tr>
<td>C-42</td>
<td>Property Inventory and Management</td>
<td>Palm pilots that include a digital camera added to the controlled equipment list; property responsibility delegated to property managers; property not accounted for will be investigated; states when a person is</td>
</tr>
<tr>
<td>Appendix No. 8</td>
<td></td>
<td></td>
</tr>
<tr>
<td>----------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D-19.1 Inclement Weather and Other Emergencies</td>
<td>Reviewed, no changes made</td>
<td></td>
</tr>
<tr>
<td>D-26 Public/Student Health</td>
<td>Reviewed, no changes made</td>
<td></td>
</tr>
<tr>
<td>D-34 Student Discipline</td>
<td>Right of appeal for an informal hearing regarding the sanctions or suspension or expulsion added</td>
<td></td>
</tr>
<tr>
<td>E-55 Workers Compensation Coverage</td>
<td>Injuries and accidents shall be reported on Employee’s First Report of Injury or Illness (SORM-29); Contact for Revision changed from University Safety Officer to Environmental Health, Safety Risk Management Department</td>
<td></td>
</tr>
<tr>
<td>E-61 Drug and Alcohol Testing</td>
<td>Reviewed, no changes made</td>
<td></td>
</tr>
<tr>
<td>E-62 Return to Work</td>
<td>Contact for Revision changed from Risk Management Committee to Environmental Health, Safety Risk Management Department</td>
<td></td>
</tr>
<tr>
<td>F-7.5 Computer Hardware and Software Acquisition</td>
<td>References to the Equipment and Software List eliminated</td>
<td></td>
</tr>
<tr>
<td>F-27 Student ID Cards</td>
<td>The card is the property of Stephen F. Austin State University and is intended for use by the individual cardholder only.</td>
<td></td>
</tr>
<tr>
<td>F-29 Telephone Services</td>
<td>Cellular services and all outside telephone lines connecting to SFA locations added to the list of telephone services; entities to submit various requests for services to changed; form added</td>
<td></td>
</tr>
<tr>
<td>F-32 Access to Secure Computing Facilities</td>
<td>Conditions for full access and limited access changed; guidelines for reporting suspected violations changed</td>
<td></td>
</tr>
</tbody>
</table>
Issuance and Control of Campus Keys

The security of the University is the responsibility of several departments on campus. First, the University Police Department is responsible for the overall campus security. Second, the various department chairs are responsible for their respective areas. Third, the Physical Plant Department is responsible for providing a sound, secure area.

A vital part of this system is the Lock and Key System of the University. Other than during normal working hours, all campus buildings will be locked. Faculty and staff may be issued keys to University buildings upon the request of the department head responsible for the building or area of the building.

An authorized individual entering or leaving a locked building shall not permit any individual to enter who would not normally be permitted to enter the building during the hours it is locked. An authorized individual may have guests so long as the guests stay in the proximity of the faculty or staff member having the assigned key and the authorized individual assumes full responsibility for their presence.

An individual entering or leaving a locked building shall be responsible for securing the door and may be held liable for any loss or damage to University property resulting from failure to do so.

Each department head will be responsible for the issuance of keys to the employees in their area of responsibility and will be responsible for the level of security in that area. The Physical Plant will only issue keys to individuals at the written request of the department head. It will be the responsibility of the department chair of each area to maintain a record of who has been issued keys and to collect keys from departing employees.

Master keys will only be issued when a signed request is received from the department chair and if there is any question about the requests, a verbal check with the department chair will be made.

Physical Plant will make keys based on a written request but will not deliver keys through the mail. Departments may pick the keys up in plant or a locksmith will deliver the keys. The charge for making a key is $1 if picked up in plant. An additional delivery charge will be made for keys delivered to the department.

If a key is lost or stolen, it should be immediately reported to both Physical Plant and to the University Police Department.

Additional security measures are available and the Physical Plant will work with deans and department chairs to achieve a high level of security if required.

Alarm Systems — alarm systems are available to departments through the University Police Department. Physical Plant is not responsible for the installation or maintenance of alarm systems.

Physical Plant is responsible for the maintenance and upkeep of doors and locks to campus buildings. However, loss of integrity of lock systems due to loss of keys or inadequate record keeping at the department level is not the responsibility of Physical Plant. Physical Plant will rekey areas at the request of the department responsible, but there will be a charge for this service.

University Police Department is responsible for locking and unlocking buildings and for determining the hours that buildings will be open. Requests for special events, schedule changes, etc. should be directed to the University Police Department.

Requests for keys are made on a "Key Request" form that must be approved by the department head for the specific area. Requests may be mailed, "walked through," or submitted via the Physical Plant webpage work order. The Lockshop is open from 7:00 a.m. to 4:00 p.m., Monday through Friday. If a locksmith is not in the shop, plant will page a locksmith to return to the shop for immediate service.
Source of Authority: Vice President for Business Affairs

Cross Reference: None

Contact for Revision: Director of Physical Plant Department

Forms: Key Request (available from Printing Services)

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Surplus or salvage property is not to be disposed of in any manner other than those described herein. Disposition of property acquired through Federal or State grants and contracts must respect the terms of the grant or contract under which it was acquired.

Surplus Property is defined as any personal property that is in excess of the needs of the department and which is not required for its foreseeable need. Surplus property may be new or used but must have additional useful life.

Salvage Property is defined as any personal property which through use, time or accident is so depleted, worn out, damaged, consumed, or outdated that it is obsolete and/or can no longer serve the purpose for which it was originally intended.

**TRADE-IN OF EQUIPMENT**

Before declaring property surplus or salvage a department may consider trading in the property on new property of the same general type when such exchanges are in the best interest of the University. Trade-ins must be included in vendor negotiations from the beginning; not added after completion of a contract. The requisition must include the following information about each piece of equipment to be traded in: description, inventory number, approximate age and condition; i.e., poor, good, working, not working, etc. It is the department's responsibility to remove and return the inventory number plate to the Property Manager.

Trade-ins are offered "where is, as is, at the State's option" during the bid process. The final decision to trade is made after the bids have been received and an evaluation has been performed by Purchasing and the department. The evaluation must consider 1) the value to the University if the equipment can be utilized in another area for the same or other suitable purposes; 2) the value of the equipment if offered in a public sale.

**PROPERTY TRANSFE RRS BETWEEN DEPARTMENTS**

Property may be transferred from one department to another by the use of the Property Transfer Form (PTF). The form is to be signed by the department head transferring the equipment and by the department head receiving the equipment. After completion, all copies of the form are to be forwarded to the Property Manager.

Section I is to be completed by the department transferring the equipment. The form and the physical property are to be forwarded to the department accepting responsibility for the equipment.
Section II is to be completed by the department receiving the equipment. Once the department head accepting the equipment signs the form, he/she is accepting responsibility for the care and control of the equipment. The completed form is to be forwarded to the Property Manager. After the transfer is recorded a copy of the PTF will be returned to the department head accepting responsibility for the equipment.

Microcomputers transferred between departments for re-use as a microcomputer, whether for connecting to the internet or not, should be confirmed by the ITS Technical Support Group or the department’s designated technical representative to insure it meets minimum standards for reliability, performance and compatibility with current versions of software.

TRANSFERS TO SURPLUS

When equipment is determined to be surplus or salvage and will not be transferred between departments, the department must contact the Property Manager. At the Property Manager’s direction the department should complete Section I of the Property Transfer Form (PTF) for a transfer to Surplus. The PTF and equipment are to be delivered to the surplus storage area. The Property Manager may direct the department to provide documentation other than the PTF depending on the disposal action taken. Surplus or salvage property is not to be delivered to the surplus storage area or otherwise disposed of without first contacting the Property Manager.

Once an item is declared surplus or salvage, the Property Manager will determine which disposal option best meets the needs of the University. Options for disposal will be considered in the order listed below:

1. re-use on campus through transfer to another department
2. cannibalization for part
3. sell or donate to another state agency
4. posting on the Coordinating Board web-site for purchase by or donation to a public school or school district (instructional materials only, including data processing equipment)
5. donation only to a political subdivision, school district, volunteer fire department or assistance organization classified under 501C
6. all remaining data processing equipment will be transferred to the Texas Department of Criminal Justice
7. all remaining items will be advertised for public sale
8. donation to a private non-profit entity
9. discarded

TRANSFERS FROM SURPLUS

Equipment declared surplus or salvage is available, without cost, for transfer to those departments in need of such equipment. Availability is on a first-come, first-serve basis after screening for the proposed purpose. Inspection of the equipment may be arranged by contacting the Property Manager.

Microcomputers transferred from Surplus to departments for re-use as a microcomputer, whether for connecting to the internet or not, should be confirmed by the ITS Technical Support Group or the department’s designated technical representative to insure it meets minimum standards for reliability, performance and compatibility with current versions of software.

POSTING INSTRUCTIONAL MATERIALS TO THE COORDINATING BOARD WEB SITE

All surplus items determined to be "materials or equipment that can be used for instructional purposes" will be posted to the Coordinating Board web site for direct transfer to a public school or school district. Posting may be for consideration or for no consideration as determined by the Property Manager. Disposal options 45-9 can not be considered until "materials or equipment that can be used for instructional purposes" has been posted to the Coordinating Board web site.

Postings will be made for a minimum one (1) week. All items posted for one week but not transferred to a public school or school district will be disposed of following disposal options 45-9.

If more than one public school or school district seeks to acquire the same property on substantially the same terms, the Property Manager shall give preference to a public school that is considered low-performing by the commissioner of education or to a school district that has a taxable wealth per student that entitles the district to an allotment of state funds under Subchapter F, Chapter 42, Education Code.

TRANSFER OF DATA PROCESSING EQUIPMENT TO THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE

Computer equipment meeting the definition of "materials or equipment that can be used for instructional purposes" will first be posted to the Coordinating Board web site following established rules. Any data processing equipment not posted and any data processing equipment not transferred to a school district shall be transferred to the Texas Department of Criminal Justice following established rules.
Data processing equipment means information technology equipment designed for the automated storage, manipulation, and retrieval of data by electronic or mechanical means. The term includes central processing units, front-end processing units, mini-processors, microprocessors, and related peripheral equipment such as data storage devices, document scanners, data entry equipment, terminal controllers, data terminal equipment, computer-based word processing systems other than memory typewriters, and equipment and systems for computer networks.

Data processing equipment will not be disposed of in any manner other than Disposal Options 1-63, 4 and 5 described herein.

PUBLIC SALE OF EQUIPMENT

The Property manager shall determine prices and conduct a public sale on a regular basis. The Director of Purchasing and Inventory will review all items and sale prices prior to each sale. All sales will be advertised with time for all interested parties to view the items prior to the sale day. The Property Manager shall determine a method of access to the property on sale day which is fair and equitable to all interested parties and which prevents unnecessary traffic on campus by non-University personnel prior to the sale.

The Property Manager is not eligible to purchase any item for which he/she has established pricing. No special privileges will be given to any employee or non-employee wishing to purchase surplus items.

Proceeds from each sale of surplus property are credited, in the year of the sale, to a revenue category (E&G Surplus Sales or non-E&G Surplus Sales) corresponding to the fund from which the original purchase was made.

Source of Authority: Texas Government code, Title 10, Subtitle D, Chapter 2175; Texas Government Code, Title 10, Subtitle B, Section 2054.003(3)(A); President; Vice President for Business Affairs

Cross Reference: Property Inventory and Management Policy C-42

Contact for Revision: Director of Purchasing and Inventory

Forms: Property Transfer Form (available in Purchasing and Inventory)

Return to Policy & Procedure Main Page
Work Requests
Original Implementation: December 7, 1987

Last Revision: July 17, 2004

The Physical Plant Department does routine preventive maintenance based on importance, priority and available manpower. Maintenance is performed by the Physical Plant Department in response to requests made by individuals authorized to expend University funds. The Physical Plant Department will respond to the following categories of requests:

1. Routine Maintenance
2. Custodial Service
3. Disposal Service
4. Emergencies

1. Routine Maintenance. These requests should include anything of a normal nature that will not require emergency attention or alter the structure. Such requests include temperature control, minor plumbing or custodial problems, and minor electrical problems. Requests of this nature should be directed to the Physical Plant Department by telephone at 468-3206, fax 468-4446, e-mail, or by submitting a request on the Physical Plant website. The following information should be provided:
   a. Building name
   b. Department
   c. Date of request
   d. Urgency of request (used to assign a work priority to each request)
   e. Exact location of job
   f. Detailed description of work needed
   g. Person making the request/contact number
   h. Account number

2. Custodial Services. Requests for custodial services beyond normal cleaning activities by custodial personnel should be directed to the Manager of Custodial Services at 468-3905.

3. Disposal Services. Disposal services are administered through the Special Services Department in the Physical Plant Department at 468-5107. Paper and household garbage of campus residents are picked up regularly. Used building/classroom materials such as lumber, cement, clay, etc., and confidential records which must be destroyed will be picked up by Special Services upon request.

4. Emergencies. These requests, in the opinion of the requester, require immediate action to prevent endangerment of life and property damage.
   a. Broken water lines (inside or out)
   b. Utilities off
c. Smell of natural gas or burning

d. Broken windows

e. Commodes overflowing

f. Water spills on floors

g. Hazardous conditions

Emergency requests should be reported immediately to the Physical Plant Department at 468-3206, or to the University Police Department at 468-2608 after normal working hours.

Source of Authority: Vice President for Business Affairs

Cross Reference: None

Contact for Revision: Director of Physical Plant

Forms: None

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Any University employee entrusted with state property may be held financially liable for lost, damaged and stolen property as outlined in Texas Government Code 403.275.

All University employees will be required to sign a written document acknowledging that he/she will from time to time be entrusted with the proper maintenance and safekeeping of State and University property. The Property Liability Acknowledgement form will also declare the employee’s understanding that he/she will be held financially responsible for any property determined to be missing or stolen due to employee negligence.

A person is financially accountable for any property loss sustained by the state if:

(1) agency property disappears, as a result of the failure of the head of an agency, property manager, or agency employee entrusted with the property to exercise reasonable care for its safekeeping;

(2) agency property deteriorates as a result of the failure of the head of an agency, property manager, or agency employees entrusted with the property to exercise reasonable care to maintain and service the property; or

(3) agency property is damaged or destroyed as a result of an intentional wrongful act or of a negligent act of any state official or employee.

If the head of the state agency or property manager has reasonable cause to believe that any property in the agency's possession has been lost, destroyed, or damaged through the negligence of any state official or employee, the head of the agency or property manager shall report the loss, destruction, or damage to the comptroller and the attorney general not later than the date established by the comptroller. If the head of the state agency or property manager has reasonable cause to believe that any property in the agency's possession has been stolen, the head of the agency or property manager shall report the theft to the comptroller, the attorney general, and the appropriate law enforcement agency not later than the date established by the comptroller.

The attorney general may investigate any report received.

If an investigation by the attorney general reveals that a property loss has been sustained through the negligence of a state official or employee, the attorney general shall make written demand on the official or employee for reimbursement of the loss.
If the demand made by the attorney general is refused or disregarded, the attorney general may take legal action to recover the value of the property as the attorney general deems necessary.

Venue for all suits instituted under this section against a state official or employee is in a court of appropriate jurisdiction of Travis County.

**Source of Authority:** Texas Government Code Ann. Sec. 403.271(a) through 403.278; 2203.004; President; Vice President for Business Affairs

**Cross Reference:** Property Transfer and Disposal, Policy B-24; Property Inventory and Management, Policy C-42

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

**Forms:** Property Liability Acknowledgement Form

**Return to Policy & Procedure Main Page**
Annual Budget Preparation

Preparation of the Annual Operating Budget is coordinated through the office of the Vice President for Business Affairs. Guidelines are established by the President based upon legislative appropriations, student fees and other local income, non-pledged and pledged auxiliary system student fees and other income, available Higher Education Assistance Fund, and estimates of other fund revenues. Guidelines will reflect current legislative appropriation riders in effect and any other legal restrictions. Budgets will be prepared by operating department heads, submitted to the next appropriate level of review, then to the Vice President in charge of the division, and finally to the President for review, and then to the Board of Regents for final consideration. The schedule for preparation of the budget will be determined by the Vice President for Business Affairs in association with the President’s Cabinet. Generally the schedule will allow for Board of Regents review in April on even-numbered years and in July for odd-numbered years. Approved budgets will be announced to the University departments through administrative channels following approval of the Board of Regents.

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

SOURCE OF AUTHORITY: Vice President for Business Affairs

CROSS REFERENCE: None

CONTACT FOR REVISION: Vice President for Business Affairs

FORMS: None

NOTE: This policy was tabled. It will return to the agenda for review at the April 20 Board Meeting.
PROCUREMENT PROCESSES

Stephen F. Austin State University makes purchases, not otherwise delegated through Policy C-10 Delegated Purchasing Authority, goods and services on a best value basis through any of the following processes, including 1) competitive bidding; 2) competitive sealed proposals; 3) catalog purchase; 4) group purchasing; or 5) open market contract.

All purchases completed with state funds must first consider making the purchase from Texas Industries for the Blind and Handicapped (TIBH) as mandated by the state to promote the purchase of goods or services from persons with disabilities.

The University may purchase goods or services through competitive sealed bid procedures with the following limits established for solicitations:

a. $0 - $5000 Printing – Requires 2 bids when using state funds

b. $0 - $5000 All other products and services – Contract negotiation of best value

c. $5000.01 - $24,999.99 – Minimum 3 informal bids required; minimum 50% HUB vendors including one woman-owned and one minority-owned

d. $25,000 - $49,999.99 – Minimum 5 formal bids required; minimum 50% HUB vendors including one woman-owned and one minority-owned; Texas Marketplace posting required.

e. $50,000 - $99,999.99 – Minimum 5 formal bids required; minimum 50% HUB vendors including one woman-owned and one minority-owned; Board of Regents approval required; Texas Marketplace posting required.

f. $100,000 and greater – Minimum 5 formal bids required; minimum 50% HUB vendors including one woman-owned and one minority-owned; HUB Subcontracting Plan required; Board of Regents approval required; Texas Marketplace posting required.

The University may purchase goods or services through the process established in Government Code, Title 10, Subtitle D, Subchapter C, Section 2156 for the acquisition of goods and services by the competitive sealed proposal process.

a. All competitive sealed proposals shall include an appropriate number of solicitations to be determined by the Purchasing Department, including HUB vendors of any gender and ethnicity when identified as providing the good or service identified.
b. $25,000 - $49,999.99 - Texas Marketplace posting required

c. $50,000-$99,999.99 - Board of Regents approval required; Texas Marketplace posting required

d. $100,000 and greater - HUB Subcontracting Plan required; Board of Regents approval required; Texas Marketplace posting required

The University may purchase goods or services through the process established in Government Code, Title 10, Subtitle D, Subchapter C, Section 2157 for the acquisition of automated information systems goods and services by the catalog purchase procedure. Use of this procedure requires the award be made to a Catalog Information Systems Vendor (CISV) as identified by the TBPC.

a. $0 - $2000 – Contract negotiation of best value

b. $2000.01 - $24,999.99 – Minimum 3 informal price comparisons required; minimum 50% HUB vendors including one woman-owned and one minority-owned

c. $25,000 - $49,999.99 – Minimum 5 formal price comparisons required; minimum 50% HUB vendors including one woman-owned and one minority-owned; Texas Marketplace posting required.

d. $50,000 - $99,999.99 – Minimum 5 formal price comparisons required; minimum 50% HUB vendors including one woman-owned and one minority-owned; Board of Regents approval required; Texas Marketplace posting required.

e. $100,000 and greater – Minimum 5 formal price comparisons required; minimum 50% HUB vendors including one woman-owned and one minority-owned; HUB Subcontracting Plan required; Board of Regents approval required; Texas Marketplace posting required.

f. $0 – Up – Catalog purchases may be made directly from a CISV without price comparisons when such purchase is the best value available and is in the state’s best interest. HUB Subcontracting Plan and Board of Regents approval requirements still apply based on the dollar amounts above.

The University may purchase goods or services through group purchasing programs.

a. $50,000 - $99,999.99 - Board of Regents approval required

b. $100,000 and greater – HUB Subcontracting Plan required; Board of Regents approval required.
The University may purchase goods or services through the open market procedure established in Government Code, Title 10, Subtitle D, Subchapter C, Chapter 2155.082.

The University may purchase goods or services through State of Texas Term Contracts, State of Texas Multiple Award Schedules, and DIR/Tex-An Contracts.

The University may purchase goods or services through reverse auctions.

The University may purchase goods or services through other state agency contracts when such contracts are available and have followed approved purchasing processes.

In determining best value, the University shall consider:

1) the purchase price;
2) the reputation of the vendor and of the vendor's goods or services;
3) the quality of the vendor's goods or services;
4) the extent to which the goods or services meet the University's needs;
5) the vendor's past relationship with the University;
6) the impact on the ability of the University to comply with the laws and rules relating to historically underutilized businesses and to the procurement of goods and services from persons with disabilities;
7) the total long-term cost to the University of acquiring the vendor's goods or services;
8) any other relevant factor that a private business entity would consider in selecting a vendor; and
9) the use of material in construction or repair to real property that is not proprietary to a single vendor unless the University provides written justification in the request for bids for use of the unique material specified.

The following limits are established for competitive bidding and catalog purchase solicitations:

a. $0—up Procurement of goods and services from persons with disabilities (TIBH) must be considered when using state funds
b. $0—$5000 Printing—Requires 2 bids when using state funds
c. $0—$5000 All other products and services—Contract negotiation of best value
d. $5000.01—$25,000—Minimum 3 informal bids required; minimum 50% HUB vendors including one woman-owned and one minority-owned

e. $25,000.01—$49,999.99—Minimum 5 formal bids required; minimum 50% HUB vendors including one woman-owned and one minority-owned; Texas Marketplace posting required.

f. $50,000—$99,999.99—Minimum 5 formal bids required; minimum 50% HUB vendors including one woman-owned and one minority-owned; Board of Regents approval required; Texas Marketplace posting required.

g. $100,000 and greater—Minimum 5 formal bids required; minimum 50% HUB vendors including one woman-owned and one minority-owned; HUB Subcontracting Plan required; Board of Regents approval required; Texas Marketplace posting required.

The University may use the process established in Government Code, Title 10, Subtitle D., Subchapter C, Section 2156 for the acquisition of goods and services by the competitive sealed proposal process:

a. All competitive sealed proposals shall include HUB vendors of any gender and ethnicity when identified as providing the good or service identified.

b. Texas Marketplace posting required for all procurement opportunities expected to exceed $25,000.

c. All competitive sealed proposals expected to exceed $50,000 require Board of Regents approval.

d. All competitive sealed proposals expected to exceed $100,000 require Board of Regents approval and the submission of a HUB Subcontracting Plan.

The University may purchase goods or services through group purchasing programs:

a. All group purchases exceeding $50,000 require Board of Regents approval.

b. All group purchases exceeding $100,000 require Board of Regents approval.

EMERGENCY PURCHASES

An emergency purchase is defined as the purchase of goods or services that are so badly needed that the agency will suffer financial or operational damage if they are not secured immediately. A procurement may be declared an emergency at the buyer's discretion in consultation with the end user and upon approval by the Director of Purchasing. Declaration of an emergency supersedes all other best value procurement rules.

Orders less than $5000 are not considered emergencies.
a. $5000.01 and greater - obtain bids, price comparisons or proposals when sufficient
time exists utilizing the most effective Orders exceeding $5000 should be bid
procurement process when sufficient time exists.

b. Orders exceeding $25,000 and greater – Texas Marketplace posting required if bids,
price comparisons or proposals are solicited as noted above and if the buyer determines
that value would be added by utilizing the Texas Marketplace, require Texas Marketplace
posting.

An emergency is defined by the answer to the following questions:

a. What is the emergency and/or what caused the emergency?

b. What financial or operational damage will occur if needs are not satisfied immediately?

c. Why could the needs not be anticipated so that proper procedures could be followed?

EXEMPT PURCHASES

The following purchases are exempt from competitive bidding best value procurement
processes. Submission of a purchase requisition and other rules may apply.

(1)a. Classified Advertising

(2)b. Hotels and Conference Rooms

(3)e. Conference Expense; expenses related to conference room services such as
audio/visual/network and food services. (does not include goods purchased for attendees
or transportation services.)

(4)d. Moving Expenses (employee) — See Policy C-21 Moving Expenses

(5)e. Student Travel; expenses related to student travel

(6)f. Library materials for Stephen F. Austin State University Libraries, in accordance
with Gov’t Code 2155.139, when such exemption represents the best value to the
University

(7)g. Membership fees and dues

(8)h. Newspaper and magazine subscriptions, books, videos and software direct from the
publisher

(9)i. Freight
(10) Intra-agency payments

(11) Rental of exhibit space; i.e., booths for display purposes

(1) Goods and services provided by the Texas Department of Criminal Justice

(12) Goods and services provided by the Texas Industries for the Blind and Handicapped Items for resale

(13) Internal Repairs

(14) Purchases from Federal agencies

(15) Utilities, other than electricity for which SFA chose to opt into deregulation

(16) Goods and services for the Organized Activity: Early Childhood Lab, Beef Farm, Dairy Farm, Poultry Farm, Broiler Houses, and Swine Farm, when the purchase directly affects operations and such exemption represents the best value to the University

r. Purchases from other State Agency contracts, when such exemption represents the best value to the University

BEST VALUE DETERMINATION

In determining best value for all procurement processes except Catalog Purchase Procedure, the University shall consider best value factors identified in Education Code 51.9335.

In determining best value for Catalog Purchase Procedures, the University shall consider best value factors identified in Government Code 2157.003.

BID SUBMISSION, BID OPENING, AND TABULATION

(a) Bid Submission

(1) Prospective bidders may request specific bid invitations from the Purchasing Department at any time prior to the bid opening;

(2) A bidder may withdraw its bid by written request at any time prior to the bid opening date and hour;

(3) A bid received after the time and date established by the bid invitation is a late bid and will not be considered;

(4) A bid received which does not contain adequate bid identification information on the outside of the envelope will be opened to obtain such information and will then be
processed as any other bid. If the incorrect information on the envelope causes the bid not to be considered in making an award, the bid will be considered invalid and rejected;

(5) Bids may be submitted by telefacsimile (fax). The telephone number for fax bid submission will be identified in the solicitation; no other number may be used for bid submission. Bids submitted by fax need not be confirmed in writing, but must comply with all legal requirements applicable to formal bids. If all or any portion of a bid submitted by fax is received late, is illegible, or is otherwise rendered non-responsive due to equipment failure or operator error, the bid or the applicable portion of the bid will not be considered. The university shall not be liable for equipment failure or operator error, nor will such failure or error require other bids to be rejected or the bid invitation to be re-advertised.

6. Bids by telegram are not allowed;

(67) An unsigned bid is not valid and will be disqualified;

(78) A bidder or department may request, in person at the bid opening, that bids be read aloud. No bid shall be required to be read aloud at any time other than during regular working hours and days;

(89) When formal bids are required, bids may not be taken or accepted by telephone;

(910) If an error is discovered in a bid invitation, or agency departmental requirements change prior to the opening of a bid, the Purchasing Department will transmit an addendum correcting or changing the specifications to all bidders originally listed on the transmission list for that bid invitation. Bids will not be rejected for failure to return the addendum with the bid, unless otherwise noted, if the change is acknowledged on the face of the bid or the product or service specification would not be changed by the addendum;

b. Bid opening and tabulation,

(1) All bid openings conducted by the Purchasing Department shall be open to the public.

(2) Bid opening dates may be changed and bid openings rescheduled if bidders are properly notified in advance of the opening date.

(3) If a bid opening is canceled, all bids which are being held for opening will be returned to the bidders.

(4) All bid tabulation files are available for public inspection. Bid tabulations may be reviewed by any interested person during regular working hours at the offices of the Purchasing Department. Employees of the university are not required to give bid tabulation information by telephone.
Source of Authority: Texas Education Code, Chapter 51.9335(a)—(b); President; Vice President for Business Affairs

Cross Reference: Policy D-20.5 Items Requiring Board of Regents Approval, Index D-20.5; Policy C-16.5 Historically Underutilized Businesses, Index C-16.5; Policy C-10 Delegated Purchasing Authority

Contact for Revision: Director of Purchasing and Inventory

Forms: None

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COMPUTER EQUIPMENT PURCHASES

Original Implementation: December 8, 1987

Last Revision: January 30, 2004 February, 2004

The term "computer-related items" as used in this policy refers to computer-related hardware, software and services. Purchases of computer-related items should be approved through the appropriate administrative channels.

It is the responsibility of the department head/account manager to have sufficient knowledge of the purchasing procedures required by the State of Texas for computer-related items when initiating such purchases and to seek the assistance of the Director of Information Technology Services and the Director of Purchasing as needed. Although users are responsible for such purchasing decisions, personnel in the computer center are available for consultation and can help to determine the feasibility of proposed acquisitions as each relates to consistency with the University's long range computing plan and with campus computing resource capabilities, and their effective interface/function with existing campus networks.

As needed, the Purchasing Department will provide the Director of Information Technology Services with a copy of the purchase of computer-related items. This will assist the Director in the preparation of computing reports required by the State of Texas on a regular basis.

SOURCE OF AUTHORITY: President

CROSS REFERENCE: None

CONTACT FOR REVISION: Director of Information Technology Services

FORMS: None
Delegated Purchasing Authority

Original Implementation: Unpublished

Last Revision: October 17, 2002 January, 2004

Stephen F. Austin State University adheres to a policy of centralized purchasing for the purposes of:
1. insuring compliance with state and federal laws, rules, and regulations;
2. protecting the University from unauthorized acquisitions of supplies, equipment and services;
3. providing budgetary control and coordination;
4. insuring fair and ethical business practices; and
5. providing savings through consolidation of requirements, standardization of products where appropriate, and competitive bidding.

The Purchasing Department, under supervision of the Director of Purchasing and Inventory, has sole authority for the negotiation and purchase of all goods and services for the University with the exception of items listed in Policy D-20.5, Items Requiring Board of Regents Approval, and the following specific delegations that exist under proper administrative approval.

1. The Manager of the University Bookstore is authorized to purchase books and other general merchandise for resale as required for efficient operation of the store.
2. The Director of the University Libraries is authorized to purchase books, periodicals, journals, and other related materials needed to maintain University resource material collections.
3. The Curator of the Stone Fort Museum is authorized to purchase general merchandise for resale in the museum gift shop.
4. The Physical Plant is authorized to make purchases up to $2000 with pre-assigned requisition numbers for completion by the Purchasing Office with the same number.
5. Account Administrators are authorized to make local purchases of items costing $500 or less through the Local Purchase Authorization procedures. See Local Purchase Authorization, Policy C-20.A.
6. Account Administrators are authorized to make on-line office supply purchases with a requisition #, if a ProCard is not available for the account being used.
7. Employees are authorized to make procurement card purchases of items costing $2000 or less through the Procurement Card procedures. See Procurement Card, Policy C-44.
8. Employees without Procurement Cards or access to LPA’s may make purchases approved by the Account Manager, and request reimbursement ONLY when other purchase options are not possible or available. Taxes will not be reimbursed.
9. Employees are authorized to provide to vendors authorized PO numbers issued by the Purchasing office (telePhone PO). In most cases the requisition must be entered and approved on-line before the PO# is issued. When determined appropriate by the Purchasing Office, the PO# may be issued without a requisition. In such cases, the requisition must be entered on-line within 24 hours, and referencing the PO#.
10. Certain payments may be made by completing a voucher for submission to the Controller’s Office. See Policy C-31, Purchase Voucher, Policy C-34.

11. All other purchases are to be submitted as a formal request for the Purchasing Department to secure a good or service. See Policy C-30, Purchase Requisition, Policy C-30.

All official correspondence other than that delegated above; i.e., bids, purchase orders, correction, cancellations, etc. shall be issued by the Purchasing Department.

UNAUTHORIZED PURCHASES MADE OUTSIDE OF DELEGATED AUTHORITY

Unauthorized purchases, regardless of the dollar amount, present problems for the Purchasing Department, Accounts Payable, vendors, and end-users. They create unnecessary work. Also, the individual responsible for the unauthorized purchase may be held personally liable for payment.

Any person responsible for initiating an unauthorized purchase (responsibility will be determined by the Department Head, Dean, and/or Vice President) will be held personally accountable until the transaction is resolved. Resolution options are:

A. To submit a letter signed by the individual, department head, dean, AND the Vice President, which must include:
   1. Description of the goods or services purchased;
   2. Reason for making the purchase without proper authority/delegation; and
   3. Measures that will be taken to avoid recurrence of an unauthorized purchase in the future.

B. To return goods to the vendor for full credit. The individual may be required to pay restocking fees or other charges, if any.

C. To pay for the goods or services personally from own funds, NOT from University funds. Unauthorized purchases are purchases charged to the University without utilizing one of the delegations stated above. The department head/account manager may or may not approve payment from University funds for an unauthorized purchase or any associated late fees. Unauthorized purchases that are approved for payment are to be submitted to the Purchasing Office through the purchase requisition procedure. On-line approval through established department approval structures will constitute approval by the department head/account manager.

The department head/account manager approving an unauthorized purchase is responsible to insure that the account used for payment has sufficient funds.

The individual making the purchase is responsible to request approval from the department head/account manager and submit the invoice to accounts payable within 30 days of the purchase to avoid mandated payment of late fees.
If payment of the unauthorized purchase and/or any late fees is not approved, the individual making the purchase will be responsible for payment to the vendor for any portion of the payment due but not approved.

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

**Cross Reference:** None; Policy D-20.5 Items Requiring Board of Regents Approval; Policy C-20.4A Local Purchase Authorization; Policy C-30 Purchase Requisition; Policy C-31 Purchase Voucher

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

**Forms:** Approval of Unauthorized Commitment of University Funds

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**MISSION**

The mission of the Stephen F. Austin State University Historically Underutilized Business (HUB) program is to insure that all vendors, including Historically Underutilized Businesses, receive full and equal opportunity to participate in contracting opportunities by encouraging the use of HUBs through race-, ethnic-, and gender-neutral policies.

**COMMITMENT**

In accordance with Texas Government Code, Title 10, Subtitle D, Chapter 2161, and 1 Texas Administrative Code section 111.11 through 111.28, Stephen F. Austin State University will make a good faith effort to utilize Historically Underutilized Businesses (HUBs) in contracts for construction, services, including professional and consulting services, and commodities contracts. The University is committed to making a good faith effort to increase business with HUBs by setting goals that recognize both underutilized and overutilized businesses identified in the State of Texas Disparity Study. The Texas Building and Procurement Commission (TBPC) HUB Rules, 1 TAC 111.11-111.28 encourages the use of HUBs by implementing these policies through race-ethnic-and gender-neutral means.

| Heavy Construction other than building contracts | Underutilized Goals – 6.6% (BL, HI, AS, AI) |
|                                               | Overutilized Goals – 5.3% (WO) |
| Building Construction including general contractors and operative builders contracts | Underutilized Goals – 25.1% (BL, HI, WO) |
|                                               | Overutilized Goals – 1.0% (AS, AI) |
| Special Trade construction contracts | Underutilized Goals – 47.0% (BL, HI) |
|                                               | Overutilized Goals – 10.2% (AS, AI, WO) |
| Professional Services Contracts | Underutilized Goals – 18.1% (BL, HI, WO) |
|                                               | Overutilized Goals – 1.9% (AS, AI) |
| Other Services contracts | Underutilized Goals – 33.0% (BL, HI, AS, AI, WO) |
|                                               | Overutilized Goals – None |
| Commodities contracts | Underutilized Goals – 11.5% (BL, HI, WO) |
|                                               | Overutilized Goals – 1.1% (AS, AI) |

AI—American Indian; AS—Asian American; BL—Black American; HI—Hispanic American; WO—Woman
ADMINISTRATION
The Director of Purchasing and Inventory shall serve as the official HUB Coordinator, ensuring full participation in the HUB program by the Purchasing Department and that purchasing policies are written to ensure HUBs have maximum opportunity to participate in all procurement opportunities. The purpose of the HUB Program is to promote full and equal business opportunities for all businesses in State contracting in accordance with the goals specified in the State of Texas Disparity Study.

GOALS
In development of a HUB plan in accordance with Texas Government Code, Chapter 2161.123, the University has established the following goals and specific programs.

Goal #1
The University's specific goals have been adjusted to eliminate "overutilized" HUBs identified in the State of Texas Disparity Study and are as follows. The University will ensure that best value procurement policies regarding solicitations are written to meet or exceed the State's HUB solicitation requirements.

Heavy Construction other than building contract
6.6%

Building construction including general contractors and operative builders contracts
25.1%

Special trade construction contracts
47.0%

Professional Services contracts
18.1%

Other Services contracts
33.0%

Commodities contracts
1.5%
A.A. Best value procurement opportunities. Solicitations over $5,000, but less than $25,000, require will include at least three informal bid solicitations, including half from certified HUB vendors.

BB. Best value procurement opportunities. Solicitations over $25,000 require will include at least five formal bid solicitations, including half from certified HUB vendors.

CC. Formal best value procurement opportunities solicitations will be posted to the Purchasing Department web site.

DD. Best value procurement opportunities. Solicitations exceeding $25,000 will be posted to the Texas Marketplace.

EE. Best value procurement opportunities. Solicitations $100,000 and greater will require a HUB Subcontracting Plan (HSP) to be submitted as a required by 1 TAC Section 111.14. See Goal #3.

F. Opportunities for subcontractors will be posted on the SFA Purchasing web-site and on the Texas Marketplace, when appropriate and upon request by the construction manager, architect, engineer, etc.

Goal #2

The University will pursue various forms of outreach to identify certified and non-certified HUB vendors with which to develop a business relationship. Vendors will be advised of and/or assisted with the State's certification process.

A. The University Purchasing Department will host a vendor fair at which vendors across the state will be invited to participate. Vendors will be provided with information regarding how to do business with the University, as well as information about the HUB certification process, and other state rules and guidelines. The University campus, other state agencies, ISD's, and city and county governments will be invited to attend and make procurement opportunities available. HUB vendors will be clearly identified on their company label and in the program.

B. The HUB Coordinator and/or Purchasing Department buyers will attend and participate in other economic opportunity forums in the Houston, Dallas and Austin Metroplexes and East Texas.

C. The University Purchasing Department will utilize the HUB directory provided by the TBPC on-line when selecting potential suppliers and subcontractors for commodities, services, and construction contracts.
D. The HUB Coordinator will analyze expenditures after each reporting period and produce a mail piece to target various groups, i.e. specific service vendors, vendors by city or county, vendors by dollar amount, etc., and notify them of the State's HUB certification process if the HUB Coordinator determines that a mail piece would be beneficial. Work with the local chamber and other business organizations to present upon request a seminar on how to do business with the University. The seminar will include the University's HUB program and information about the HUB certification process.

E. The University Purchasing Department will send a mail piece to all new Texas vendors added to the FRSUniversity's vendor database advising them of the State's HUB certification process.

F. The University will host at least one HUB forums per year as needed to introduce potential HUBs to upcoming construction and/or renovation projects, in which a HUB vendor is invited to present their business to appropriate procurement personnel from the Purchasing Office as well as end users with delegated purchasing authority. When appropriate, contracted construction managers or architect/engineers will be invited to attend.

**Goal #3**

Stephen F. Austin State University will seek to contract with HUBs indirectly through subcontracting opportunities in accordance with Texas Government Code, Chapter 2161, Subchapter F and Commission HUB Rules, 1 TAC Section 111.14.

A. All procurements Solicitations $100,000 or greater will require the University to prepare the bid document including HUB Subcontracting Plan (HSP) requirements as developed by the HUB Coordinator. Potential bidders Respondents will be required to submit a HUB Subcontracting Plan (HSP) as provided required by the bid solicitation documents in order for the bid response to receive consideration.

B. Contractors will be forwarded information about the University’s mentor-protégé program at the time of award of construction contracts.

C. The University HUB Subcontracting requirements allow bidders to use a subcontractor with whom they are engaged in a registered mentor-protégé agreement in lieu of soliciting other HUB subcontractors.

D. Contractors will be advised that the Purchasing office will post subcontracting opportunities on the SFA Purchasing web-site and the Texas Marketplace upon request.

**Goal #4**
The University will establish educational training for personnel making procurement decisions to assure compliance with stated objectives.

A. The University Purchasing Department will publish a newsletter which will, from time to time, include HUB information.

B. The University Purchasing Department will conduct training seminars for all campus departments advising them of all current purchasing policies and procedures, including HUB good faith effort requirements.

C. ProCard training will include an emphasis on the need to make small purchases from HUBs and will include a list of HUB vendors for the most common purchases made with the ProCard.

D. Regular training for the use of the on-line requisition system will include an introduction of general purchasing policies and guidelines. This introduction will include information regarding the requirements to make a good faith effort to purchase from HUBs. The Purchasing Department will maintain a web-site providing HUB resources for SFA departments.

E. The University Purchasing Department will host at least one HUB forum per year in which HUB vendor(s) are invited to present their business to appropriate procurement personnel from the Purchasing Office as well as end-users with delegated purchasing authority.

Goal #5

The University will gather HUB data to comply with the reporting requirements of Texas Government Code, Title 10, Subtitle D, Chapter 2161 and 1 Texas Administrative Code sections 111.11 through 111.28.

A. Semi-annual and annual report data will be submitted within the timeframe and in the format required by TBPC.

B. Semi-annual and annual reports will be scrutinized closely for correct vendor number data.

C. HUB Subcontracting information will be compiled on a monthly basis and reported semi-annually and annually.

D. Monthly HUB reports will be submitted to the President of the University providing HUB expenditure data for each vice presidential division.

Goal #6

P28
The University will develop a program to foster long-term relationships between leaders of mature established companies and emerging minority and women owned companies (that are HUB certified or eligible to be HUB certified) in order for the latter to benefit from the knowledge and experience of the established firms.

A. The University offers a Mentor-Protege program patterned after the TBPC program and in accordance with Government Code 2161.065.

B. The University will sign Memorandums of Understanding with organizations such as SCORE and the Angelina Procurement Assistance Center to assist in developing the mentor-protégé agreement and analyzing the protégé’s business plan.

C. The University’s Mentor-Protege program will be advertised at all HUB Economic Opportunity Forums attended.

D. Vendors with whom expenditures of $100,000 or more are recorded annually will receive an annual mailing with information about the University’s mentor-protégé program requesting that they consider participating.

Source of Authority: Board of Regents, President, Vice President for Business Affairs

Cross Reference: Texas Government Code, Title 10, Subtitle D, Chapter 2161; and Texas Administrative Code, sections 111.11 through 111.28, Policy C-7 Best Value Procurement

Contact for Revision: Director of Purchasing and Inventory/HUB Coordinator

Forms: None

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Investments

Original Implementation: April 30, 1996

Last Revision: July 25, 2002-February 4, 2004

Policy Statement

Stephen F. Austin State University invests the public funds in its custody with primary emphasis on the preservation and safety of the principal amount of the investment. Secondarily, investments must be of sufficient liquidity to meet the day to day cash requirements of the University. Finally, the University invests to maximize yield within the two previously indicated standards. All investments within this policy conform to all applicable State statutes and local rules governing the investment of public funds. This policy is promulgated in accord with the Public Funds Investment Act (Government Code, Chapter 2256), related portions of the Texas Education Code, and the applicable portions of H. B. 2459, 74th Texas Legislature.

Scope

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

Objectives

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

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

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

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

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

Authorized Investments

NOTE: This policy was tabled. It will return to the agenda for review at the April 20 Board Meeting.
All University funds and funds held in trust for others may be invested only in the following securities:

A) obligations of the United States of America, its agencies and instrumentalities;

B) direct obligations of the State of Texas or its agencies and instrumentalities;

C) collateralized mortgage obligations directly issued by a federal agency or instrumentality of the United States of America, the underlying security for which is guaranteed by an agency or instrumentality of the United States of America;

D) other obligations, the principal of and interest on, which are unconditionally guaranteed or insured by, or backed by the full faith and credit of, the State of Texas or the United States of America or their agencies and instrumentalities;

E) obligations of states, agencies, counties, cities, and other political subdivisions of any state rated as to investment quality by a nationally recognized investment rating firm of not less than A or its equivalent;

F) certificates of deposit issued by a state or national bank or savings and loan association domiciled in Texas that is:

1) guaranteed or insured by the Federal Deposit Insurance Corporation;

2) fully collateralized by obligations described in Authorized Investments section A-E listed above, including mortgage backed securities directly issued by a federal agency or instrumentality that have a market value of not less than the principal amount of the certificates, but excluding those mortgage backed securities of the following nature:

a) obligations whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgaged-backed security collateral and pays no principal;

b) obligations whose payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest;
c) collateralized mortgage obligations that have a stated final maturity date of greater than 10 years; and
d) collateralized mortgage obligations the interest rate of which is determined by an index that adjusts opposite to the changes in a market index.

G) fully collateralized repurchase agreements with a definite termination date, secured by obligations described by Authorized Investments section F, requiring the securities being purchased by the entity to be pledged to the entity, held in the entity’s name, and deposited at the time the investment is made with the entity or with a third party selected and approved by the entity; and placed through a primary government securities dealer, as defined by the Federal Reserve, or a financial institution doing business in this state;

H) bankers acceptances having a stated maturity of 270 days or fewer from the date of issuance, to be liquidated in full at maturity, eligible for collateral for borrowing from a Federal Reserve bank, and accepted by a bank organized and existing under the laws of the United States of America or any state, if the short-term obligations of the bank, or of a bank holding company of which the bank is the largest subsidiary, are rated not less than A-1 or P-1 or an equivalent rating by at least one nationally recognized credit rating agency;

I) commercial paper that has a stated maturity of 270 days or fewer from the date of its issuance, and is rated not less than A-1 or P-1 or an equivalent rating by at least two nationally recognized credit rating agencies or one nationally recognized credit rating agency and is fully secured by an irrevocable letter of credit issued by a bank organized and existing under the laws of the United States of America or any state;

J) no-load money market mutual funds regulated by the Securities and Exchange Commission, having a dollar-weighted average stated maturity of 90 days or fewer, and including in their investment objectives the maintenance of a stable net asset value of $1 for each share;

K) guaranteed investment contracts conforming to Section 2256.015 of the Government Code;

L) investment pools conforming to Section 2256.016 of the Government Code;
M) cash management and fixed income funds sponsored by organizations exempt from federal income taxation under Section 501(f), Internal Revenue Code of 1986 (26 U.S.C. Section 501(f));

N) Assets and/or funds reportable within the scope of the University's annual financial report may not be invested in or used to purchase securities, including obligations, of a private corporation or other private business entity that owns 10% or more of a corporation or business entity which records or produces any song, lyrics or other musical work that explicitly describes, glamorizes or advocates:

(1) acts of criminal violence, including murder, assault, assault on police officers, sexual assault, and robbery;

(2) necrophilia, bestiality, or pedophilia;

(3) illegal use of controlled substance;

(4) criminal street gang activity;

(5) degradation or denigration of females; or

(6) violence against a particular sex, race, ethnic group, sexual orientation, or religion.

Insurance or Collateral

All deposits and investments of University funds other than direct purchase of United States Treasury securities or United States Agency securities and in money market funds invested in U. S. Treasury or Agency securities shall be secured by a pledge of collateral with a market value equal to no less than 100% of the deposits or investments less any amount insured by the FDIC or FSLIC and pursuant to Article 2529d, the Public Funds Collateral Act. Evidence of the pledged collateral associated with bank demand accounts shall be maintained by the University Controller. Evidence of the pledged collateral associated with investments shall be maintained by the Director of Financial Services. Eligible repurchase agreements shall be documented by a specific agreement noting the collateral pledged in each agreement. Collateral shall be reviewed monthly by the Controller and Director of Financial Services to assure the market value of the securities pledged equals or exceeds the related bank and certificates of deposit balances.

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

Collateral Defined

The University shall accept only the following securities as collateral:
A) FDIC and FSLIC insurance coverage;

B) United States Treasury, Agency, or Instrumentality securities;

C) Other obligations, the principal of and interest on which are unconditionally guaranteed or insured by the State of Texas or the United States of America;

D) Obligations of states, agencies thereof, counties, cities, and other political subdivisions of any state having been rated as to investment quality by a nationally recognized investment rating firm and having received a rating of no less than A or its equivalent.

Investment Strategy

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

Investments may be categorized and described as:

A) Short Term - less than 90 days

Funds needed to meet short term operating requirements normally will be invested in either the Texpool investment vehicle managed by the State Treasurer or overnight sweep accounts established with banking institutions. The benchmark is the average three month Treasury Bill yield.

B) Intermediate Term - 90 days to one year

United States Treasury and Agency securities, United States Agency Discount Notes are the primary investment vehicles. United States Treasury securities are preferable because of their low risk and the ease with which they are traded. The benchmark is 95 percent of the average one-year Treasury Bill yield.

C) Long Term - over one year
United States Treasury and Agency securities are the primary investment vehicles. Normally, investments are laddered so that most principal is returned over a five year period in increments sufficient to meet anticipated operating and capital needs. The 30 Year Treasury Bond rate is the benchmark for long term funds.

D) Maturity

The length of time for investments within this policy will vary according to fund type and will be dependent on funding requirements. As a general rule, funds will be invested for the time periods indicated:

| Current Unrestricted and Restricted Funds | 2 days to one year |
| Plant Funds                               | 3 months to 3 years |

Delegation of Authority

The Vice President for Business Affairs (VPBA) of Stephen F. Austin State University is responsible for investment management decisions and activities. The VPBA delegates the day-to-day management of the investment activities to the Director of Financial Services.

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

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

The VPBA shall be designated as the University’s investment officer and is responsible for the duties outlined herein. The name and title of the investment officer shall be filed with the Board of Regents. Changes of name and/or title must be filed with the Board of Regents as they occur.

The maximum stated maturity date of any security may not exceed ten years, and the weighted average duration of the portfolio shall not exceed five years without approval by the VPBA and ratification by the Board of Regents.

No officer or designee may engage in an investment transaction except as provided under terms of this policy as approved by the Stephen F. Austin State University Board of Regents.

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

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

**Internal Controls**

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

**Investment Authority**

The VPBA shall invest only those funds regulated by this policy and shall purchase only those securities authorized by the Authorized Investments section of this policy.

**Authorized Financial Dealers and Institutions**

Investment transactions (bids and offers) will occur only between the University and Board authorized broker/dealers.

A written copy of the investment policy shall be presented to any person offering to engage in an investment transaction with Stephen F. Austin State University. The qualified representative of the business organization offering to engage in an investment transaction with Stephen F. Austin State University shall execute a written instrument substantially to the effect that the business organization has (a) received and reviewed the investment policy of the University and (b) acknowledges that the business organization has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the University and the organization that are not authorized by Stephen F. Austin State University’s investment policy.

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

**Diversification**

Investments may be diversified to minimize the risk of loss resulting from unauthorized concentration of assets in a specific maturity, specific issuer, or specific class of securities. The diversification limits by security type and issuer shall be:
<table>
<thead>
<tr>
<th>Category</th>
<th>Maximum</th>
</tr>
</thead>
<tbody>
<tr>
<td>U. S. Treasury securities and securities having principal and interest guaranteed by the U. S. Government</td>
<td>100%</td>
</tr>
<tr>
<td>U. S. Government agencies, instrumentalities and government sponsored enterprises (excluding mortgage backed securities)</td>
<td>50%</td>
</tr>
<tr>
<td>Collateral mortgage backed securities</td>
<td>25%</td>
</tr>
<tr>
<td>Fully insured or collateralized certificates of deposit</td>
<td>100%</td>
</tr>
<tr>
<td>Bankers’ acceptances</td>
<td>25%</td>
</tr>
<tr>
<td>Commercial paper</td>
<td>25%</td>
</tr>
<tr>
<td>Repurchase agreements</td>
<td>100%</td>
</tr>
<tr>
<td>Registered money market funds</td>
<td>80%</td>
</tr>
<tr>
<td>Local Government Investment Pool</td>
<td>100%</td>
</tr>
</tbody>
</table>

The VPBA and his or her designee may diversify investment maturity. To the extent possible, investment maturity will be matched with anticipated cash flow requirements. Matching maturity and cash flow requirements will minimize occasions for sale of securities prior to maturity, thereby reducing market risk. However, no provision of this policy shall be interpreted as prohibiting the sale of any security prior to maturity, provided that it is in the University’s financial interest to effect the sale.

The weighted average maturity of the entire portfolio shall be maintained at no more than 10 years and shall be reported quarterly to the Board of Regents. Pooled fund groups eligible for University investment shall have a maximum weighted average maturity of 10 years.

**Safekeeping and Collateralization**

All securities transactions, including collateral for repurchase agreements, but excluding mutual funds and investment pools, must be settled on a delivery versus payment basis. Collateral for certificates of deposit shall be held by a third party custodian in the name of the University. The third party custodian shall be required to issue a safekeeping receipt to the University listing the specific instrument, rate, maturity, safekeeping receipt number, and other pertinent information. Any collateral safekeeping receipt shall be clearly marked on its face that the security is "pledged to Stephen F. Austin State University".

Collateralization shall be required on certificates of deposit and repurchase agreements. The collateralization level shall be no less than 100% of the market value of the principal and interest due on these instruments.

Collateral for certificates of deposit and repurchase agreements shall consist of any of the securities authorized for investment within this policy.
Performance Evaluation

The VPBA shall submit quarterly reports to the Board of Regents through its Finance Committee and the President of the University in the format prescribed by the Public Funds Investment Act, within a reasonable time after the end of the quarter.

The reports must:

(A) describe in detail the investment position of the University on the date of the report;

(B) be prepared by the investment officer(s) of the University;

(C) be signed by the investment officer(s) of the University;

(D) contain a summary statement prepared in compliance with generally accepted accounting principles of each pooled fund group that states the:

(1) beginning market value for the reporting period;

(2) additions and changes to the market value during the period;

(3) ending market value for the period; and

(4) fully accrued interest for the reporting period;

(E) state the book value and market value of each separately invested asset at the beginning and end of the reporting period by the type of asset and fund type invested;

(F) state the maturity date of each separately invested asset that has a maturity date;

(G) state the account or fund or pooled group fund for which each individual investment was acquired; and

(H) state the compliance of the investment portfolio of the University as it relates to the relevant provisions of the Public Funds Investment Act.

Training

The VPBA and Director of Financial Services are required by Section 2256.007(a) of the Government Code to attend at least one session of investment training not later than March 1, 1996, and, as appropriate, periodically thereafter.
Audits

In order to comply with the audit requirements of the Texas Public Funds Investment Act, the University's Department of Audit Services office shall conduct audits and reviews of the University's investment function and report the findings to the appropriate oversight authorities. Annual compliance audits of management controls on investments and adherence to the University's investment policy, and report the results to the President and VPBA and the State Auditor's Office. In addition, the Department of Audit Services shall annually review the quarterly investment reports, and report the results of the review to the governing body.

Investment Policy Adoption and Certification

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

Source of Authority: Board of Regents, Stephen F. Austin State University

Cross Reference: None

Contact for Revision: Vice President for Business Affairs

Forms: None

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APPENDIX A

INTERNAL CONTROLS

The University has prepared an Investment Policy as of April 12, 1996. The policy was approved by the Board of Regents April 30, 1996.

The Investment Policy will be reviewed and/or updated no less than annually.

All pledged securities shall be held by a third party custodian in the name of the University. A safekeeping receipt will be issued to the University listing the specific instrument, rate, maturity, safekeeping receipt number, and other relevant information.

The signature of the President, VPBA, or Director of Financial Services is required for release of pledged securities from safekeeping unless the securities being released are...
replaced by securities with the same market value. Only changes in the level of collateralization require approval by the above.

The Controller’s Office will reconcile the appropriate investment accounts to broker’s statements and other supporting documents monthly.

All purchases of securities from and deposits of funds to or withdrawals of funds from Texpool require the signature of the VPBA, and either the Director of Financial Services or the Controller.

APPENDIX B

ADMINISTRATIVE PROCEDURES

The Bursar's Office will maintain a daily list of cash balances held in depository bank accounts.

All investment transactions and related cash transfer requests, except for investment "rollovers" as defined, will be prepared by the Director of Financial Services and will require an appropriate second signature.

"Rollovers" are investment transactions whereby an investment of certain type held by an entity matures and the proceeds are then used to purchase an investment of the same type within the same account within the same entity.

The Controller’s Office will record investments in compliance with GASB and State Comptroller’s reporting requirements and reconcile the appropriate investment accounts to broker’s statements and other supporting documents monthly.

Quarterly investment reports are prepared by the Director of Financial Services and approved by the Vice President of Business Affairs in accordance with the Performance Evaluation section of this investment policy.

The market price of securities will be monitored quarterly using industry published data or appropriate financial publications.

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Centralized property management and control is performed by the Purchasing and Inventory Department. The Director of Purchasing and Inventory and the Property Managers are responsible for the overall management of University equipment, maintenance and control of centralized inventory records, and disposition of surplus, salvage and scrap. (See Property Transfer and Disposal Policy B-24). Property acquired under Federal or State grants and contracts is inventoried and maintained according to the same guidelines of the University's centralized property management and control described herein.

In accordance with Texas Government Code Ann. Sec. 403.271(a) through 403.278, Stephen F. Austin State University will comply with the State Property Accounting Policies and practitioner's standards as outlined in the State Property Accounting Policy and Procedures Manual. Stephen F. Austin State University shall be certified as an internal agency.

PROPERTY DEFINITIONS

Items are added to the SPA centralized inventory records at the time of acquisition and are carried in the system at original cost value until disposed of through surplus. The Property Manager is responsible for assignment and control of inventory numbers. Inventory control tags are normally applied by Central Receiving prior to delivery or by property office representatives after delivery. As outlined in the State Property Accounting (SPA) Policy and Procedure Manual, property will be added to centralized inventory records as follows:

Capitalized Equipment

All equipment with a useful life of greater than one year and a value of $5000 or more

Controlled Equipment

All equipment with a useful life of greater than one year and a value greater than $500 in the following commodity groups: fax machines, telexcopiers stereo systems cameras TV, VCR, DVD player, camcorder, any combination of these units microcomputers, servers and laptops printers
All equipment with a useful life of greater than one year and any value in the following commodity groups:
firearms of any type

University Controlled Equipment

The Property Manager has determined that the following items will be added to centralized inventory records with a useful life of greater than one year and at any value:
- microcomputers, servers and laptops
- monitors
- printers
- scanners
- digital cameras (including palm pilots that include a digital camera)
- additional item(s) that the department head feels may be subject to a high risk of theft (requires Property Manager approval)

PROPERTY RESPONSIBILITY

The President delegates responsibility for the custody and care of state property to the Property Managers and the Department Heads. The Property Managers shall perform updates and make all additions, deletions and value adjustments to inventory records. The department heads are to exercise proper care and control over all assets for which he/she is responsible and report needed or desired adjustments to the Property Managers in a timely manner. Property responsibility is delegated by the President of the University through the Director of Purchasing and Inventory to two Property Managers. The chair or administrative head of a department is designated as the “Property Manager” for the department. The department head may not delegate this responsibility. However, individual custodians of property will be held responsible for the proper maintenance and safekeeping of property entrusted to them.

All University employees will be provided a written document for acknowledgement that he/she will from time to time be entrusted with the proper maintenance and safekeeping of State and University property. The Property Liability Acknowledgement Form (see Policy B-34 Property Liability) will also declare the employee’s understanding that he/she will be held pecuniarily responsible for any property determined to be missing or stolen due to employee negligence.

PROPERTY RESPONSIBILITY WITH CHANGE IN DEPARTMENT HEAD

Out-Going Department Head

When there is an administrative change in department heads, the out-going department head (interim or permanent) must request from the Property Manager a current list of inventory items for which he/she is accountable. Verification of all items must be completed and the Change in Department Head form signed by the out-going department head within 30 days prior to the individual’s last day. Verification of property includes
documenting that all items are accounted for and in good condition. Any property that is not accounted for will be investigated to determine if it is missing or stolen due to employee negligence. If negligence is determined, a written demand for reimbursement from the person(s) responsible for the loss will be issued by the State Attorney General’s Office.

In-Coming Department Head

The incoming department head (interim or permanent) must request from the Property Manager a current list of inventory items for which he/she will be accountable. Verification of all items must be completed and the Change In Department Head form signed by the incoming department head within 30 days of the individual’s first day. Verification of property includes documenting that all items are accounted for and in good condition. Any property that is not accounted for will be investigated to determine if it is missing or stolen due to employee negligence. If negligence is determined, a written demand for reimbursement from the person(s) responsible for the loss will be issued by the State Attorney General’s Office.

PROPERTY MAINTENANCE AND VALIDATION

Each department head is to exercise care and control over the assets for which he/she is responsible. Property should be monitored on a perpetual basis. Location changes are to be reported to the Property Manager as they take place. Transfers to surplus or other departments must have prior approval of the Property Manager. (See Property Transfer and Disposal Policy B-24) Missing or Stolen Property must be reported immediately.

Annual Physical Inventory Audit

To validate the accuracy of property records, an Annual Physical Inventory Audit is conducted February through April of each year. During this Annual Physical Inventory Audit each department head is responsible to physically count and verify by tag number and room location all items on the official departmental inventory. Each item on the report must be physically marked showing verification of the item and its location or documented as to the reasons for not being verified. Responses will be due from custodian departments within 45 days. The annual property report is due to SPA 45 days from the department due date. Each department head shall sign an Annual Inventory Audit Receipt and return it to the Property Manager along with a documented copy of the departmental inventory. The receipt will include the following statement:

"I understand that I or the employees in my department are under financial liability for loss or damage to this (these) item(s) if the loss or damage results from my negligence, intentional act, or failure to exercise reasonable care, safeguard, maintenance, or servicing."

Spot-Check Validation
Property validation spot-checks will be conducted by Property personnel in a routine fashion to allow independent verification. Other spot-checks will be performed when necessary. Spot-checks will not be performed during annual inventory (January–April).

**Monthly Transaction Statements**

Transaction statements listing all additions and deletions to the departmental inventory are mailed out monthly. These transaction statements are to be updated with building and room information and the name of the individual in possession of the property and returned to the Property Manager.

**Adjustment Of Property Records**

When the need arises to alter the description or change the location of an item on a departmental inventory, the person responsible for the department’s inventory must initiate a memo or email to the Property Manager listing the inventory number(s), description and the change(s) desired.

The following fields must be updated throughout the year as changes occur:

1. **Responsible Department Name** - this will only be changed for the following reasons: a) through means of a transfer form when property is transferred between departments; b) if it is determined that an error was made in the original entry; c) department has a name change

2. **Building and Room Location**

3. **End User Name**

4. **Department Chair Name**

5. **Serial Number** - this will only be changed when it is determined that an error was made in the original entry or that original equipment has been returned to the company and replaced.

6. **Description** - this will only be changed when it is determined that the equipment has not changed but that a more accurate description is needed to facilitate the physical inventory process.

**USE OF STATE PROPERTY**

State/University property may be used only for state purposes. Non-consumable state property in the custody of any Stephen F. Austin State University employee may not be loaned, sold, traded, thrown away, cannibalized, or disposed of in any manner without the
prior authorization of the Property Manager. (See Property Transfer and Disposal Policy B-24)

Removal Of Property From Campus

State/University property may be removed from the campus only for official business of the University or another State Agency. When so removed, the individual removing it assumes pecuniary responsibility.

If such property is to be removed, the department head responsible for the equipment should prepare and sign a "Removal of Equipment From Campus " form. The inventory number, date of purchase, description and inventory value may be obtained from the departmental inventory printout provided by the Property Manager.

The original of the completed form should be sent to Purchasing and Inventory prior to physical removal of the equipment from campus. A copy should be kept for departmental inventory records. A follow-up audit will be made by the Property Manager on the date equipment is to be returned to the University. If an extension of time is needed, contact the Property Manager.

The Removal of Equipment from Campus form must also be filled out for equipment being removed with an indefinite return date. The Department Head will be required annually to verify the status of all such equipment. This verification will be initiated via a memo from the Property Manager and will be separate from the Annual Physical Inventory Audit.

Loaning Property To Another Agency

When State/University property is loaned to another agency the President must approve the loan of the property in writing and receipt of the property must be acknowledged in writing by the head of the borrowing agency.

MISSING OR STOLEN PROPERTY

Any equipment discovered to be ‘missing’ or ‘stolen’ must be reported IMMEDIATELY. Missing property is to be reported to the Property Manager. Stolen property is to be reported to BOTH the Property Manager and the University Police Department.

Missing Property is defined as any personal property that has disappeared with no explanation.

Missing property must be reported to the property manager IMMEDIATELY upon recognition of the loss. The department head must complete a Missing or Stolen Property Report in full with a detailed report of the loss; i.e. last known location, last date seen, date of discovery of loss, etc. This form must be submitted to the Property Manager.
within 24 hours of notification. The Property Manager is required to update the property records IMMEDIATELY for electronic notification to the State Comptroller’s Office.

Missing property will remain on the department’s inventory for two (2) years and will be clearly marked as ‘Missing’. The department head must continue to search for the missing property during the 2-year time period. At the end of two (2) years the property will be removed from centralized inventory records upon approval from the State Comptroller’s Office. In the event of employee negligence, the Property Manager must fax a copy of the Missing or Stolen Report to the Office of the Attorney General within 5 working days of the occurrence.

Any appropriations withheld from the University due missing property based on the Fy 02-03 Appropriations Bill, section 9.03, will be deducted from the budget of the department responsible for the equipment.

Stolen Property is defined as any personal property missing by known theft, whether by forced removal, burglary, theft by employees, or other criminal acts.

Stolen property must be reported to the Property Manager IMMEDIATELY and University Police within 48 hours of recognition of the loss. The department head must complete a Missing or Stolen Property Report in full with a detailed report of the theft; i.e., last known location, last date seen, evidence of theft, date of discovery of loss, etc. Both the Missing or Stolen Property Report AND a Police Report must be submitted to the Property Manager; and the Property Manager must report the theft to the State Comptroller IMMEDIATELY. In the event of employee theft, the Property Manager must fax a copy of the Missing or Stolen Report to the Office of the Attorney General within 5 working days of the occurrence.

Failure to report to the Property Manager IMMEDIATELY, thus allowing reporting to the State Comptroller or Attorney General within the required timeframe, may result in the stolen property being report as missing property with possible employee negligence.

| EMPLOYEE NEGLIGENCE |

When the President has reasonable cause to believe that any State/University property has been lost, stolen, damaged, or destroyed through the negligence or fault of an employee, it must be reported to the Attorney General.

When equipment is reported Missing or Stolen, the department head must make an initial determination of whether negligence was involved in the loss of the property. The Property Manager will investigate, including requiring completion of a follow-up questionnaire, the circumstances surrounding all property reported missing and make a further determination of negligence. If the Property Manager determines that negligence is involved, the Department Head, Attorney General’s Office, Director of Purchasing, SFA Audit Services and Vice President for Business Affairs will be notified immediately. The Attorney General’s Office will investigate and make a final determination of
negligence. If the final determination is negligence, the Attorney General's Office will make a written demand for reimbursement from the person(s) responsible for the loss.

A person is pecuniarily liable for the loss sustained by the state if: (1) agency property disappears, as a result of the failure of the head of an agency, property manager, or agency employee entrusted with the property to exercise reasonable care for its safekeeping; (2) agency property deteriorates as a result of the failure of the head of an agency, property manager, or agency employees entrusted with the property to exercise reasonable care to maintain and service the property; or (3) agency property is damaged or destroyed as a result of an intentional wrongful act or of a negligent act of any state official or employee.

Source of Authority: Texas Government Code Ann. Sec. 403.271(a) through 403.278; 2203.004; President; Vice President for Business Affairs

Cross Reference: Property Transfer and Disposal Policy B-24; Property Liability Policy B-34

Contact for Revision: Director of Purchasing and Inventory

Forms: Change In Department Head (available on the ITS Forms Server), Annual Inventory Audit Receipt (provided with Annual Inventory Packet), Removal of Equipment from Campus (available on the ITS Forms Server), Missing or Stolen Property Report (available on the ITS Forms Server), Police Report (available from University Police Department)

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In the event that inclement weather or other conditions impede the normal operations of the University, the President may declare an emergency, cancel classes, and close University offices for an appropriate period. The President's decision may be provided to the news media by the Director of Public Affairs. In the absence of a specific announcement curtailing activities, the faculty, staff, and students should assume normal operation of the University.

If the President decides to declare an emergency, cancel classes, and close University offices, certain critical areas shall be required to continue operations. These are:

1. University Police - Employees designated by the Chief of University Police.
2. Physical Plant - Employees designated by the Director of the Physical Plant Department.
3. Housing - Employees designated by the Director of Housing.
4. University Center - Employees designated by the Director of Auxiliary Services.
5. Any other area deemed critical by an appropriate vice president.

Employees who are required to report to work during the period the University is closed may receive compensatory time. Employees who voluntarily report to work during the period the University is closed shall not receive compensatory time. Employees who are on vacation or sick leave during the period the University is closed will not be charged for leave.

The provisions of this policy apply to all employees, regardless of the nature of their employment or the time of their work shift.

Source Of Authority: President

Cross Reference: None

Contact For Revision: Vice President for Business Affairs

Forms: None

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Stephen F. Austin State University recognizes an obligation to promote public health on campus by protecting students, faculty, and staff from the spread of contagious and infectious diseases. An effective and responsible approach to safeguarding public health on campus requires that legitimate concerns about the potential for transmission of diseases in University settings neither be sensationalized nor minimized, but that University officials work closely with other interested parties to establish policies and procedures that inhibit the likelihood of contagion while promoting an educational environment characterized by safety, continuity, and calm.

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

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

Source of Authority: Vice President for University Affairs

Cross Reference: None

Contact for Revision: Vice President for University Affairs

Forms: None
Student Discipline
D-34

Original Implementation: January 19, 1988

Last Revision: October 23, 2003

Rules Of Procedure In Student Disciplinary Matters
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I. Introduction

The following Rules of Procedure in Student Disciplinary Matters are adopted to ensure that the University will fulfill the requirements of procedural due process in student disciplinary proceedings, that the Stephen F. Austin State University Student Conduct Code and Residence Hall Policies may be secured to all students and that the disciplinary procedures within Stephen F. Austin State University shall be definite and determinable.

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

II. Definitions

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

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

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

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

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

Judicial Officer: As used in these procedures, the Judicial Officer is charged, as a designee of the Vice President, with the daily responsibility for the administration of these disciplinary procedures. Specifically, the Judicial Officer conducts informal hearings for alleged conduct code violations, has appellate authority over residence hall violation hearings, presents the University’s case in formal hearings before the Student Conduct Committee and serves as custodian of all Student Conduct Code disciplinary hearing records.
**Student**: A person having once been admitted to the University who has not completed a chosen course of study and who intends to or does continue that course of study at the University. For the purposes of these rules, student status continues whether the University's academic programs are in session or not.

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

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

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

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

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

Any student charged with violating Residence Hall Policy or the Student Conduct Code will be notified through a University-recognized medium to contact the appropriate hearing official for a hearing on the alleged misconduct. The notice will include the date of the alleged violation and the specific provision of the Policy or Code in question. The rights outlined below will be accorded to any student in a formal or informal hearing for an alleged violation of the Student Conduct Code and for formal hearings for an alleged violation of Residence Hall Policy. A student is not afforded the right of an advisor in an informal hearing for an alleged infraction of Residence Hall Policy due to the nature of these types of offenses and the short timeframe allowed for a case to be resolved.
a. to be present at the hearing;
b. to have an advisor of the charged student’s choice appear with the student and to consult with such advisor during the hearing;
c. to hear or examine evidence presented against the charged student;
d. to make any statement in mitigation or explanation of the conduct in question;
e. to be informed in writing of the finding and any sanction imposed;
f. to appeal the finding and sanction to the proper authority;
g. to waive hearing deadlines as outlined in these procedures;
h. to have and cross-examine witnesses.

IV. Rights of Victims in Disciplinary Proceedings

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

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

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

a. to meet with the judicial officer to discuss the disciplinary process.
b. to submit a written account of the alleged incident.
c. to be advised of the date, time and location of the disciplinary hearing, and to request rescheduling for good cause.
d. to be present at the hearing and to be accompanied by an advisor of the victim’s choosing during the hearing process, although the advisor will not be permitted to speak for the victim during the hearing.
e. to testify as a witness during the hearing. All alleged victims of any violation involving sexual offenses or assault have the option to use an intercom or other remote audio or video device, so that
they may testify and respond to questions without face-to-face
contact with the alleged perpetrator.

f. to decline to testify, with knowledge that such action could result
in dismissal of the University's charges for lack of evidence.

g. to make an impact statement, either in person or in writing, to the
hearing officer or Student Conduct Committee for consideration
during the sanctioning phase.

V. Evidence and Burden of Proof

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

VI. Confidentiality Standards

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

VII. Penalties

Admonition is a warning.

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

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

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

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

a. The charged student must remain off the campus during the period of suspension, except when summoned by an administrator of the University or when an appointment with an official has been arranged in advance.

b. A student under suspension may not live or board in University facilities.

**Expulsion** is a permanent bar from attending the University whereby the student is not eligible for readmission to this University. An expelled student’s status will also carry the following conditions:

The expelled student must remain off the campus, except when summoned by an administrator of the University or when an appointment with an official has been arranged in advance.

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

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

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

b. whether the conduct and surrounding circumstances reasonably indicate that the continued presence of the student on the University campus poses a substantial threat of harm or bodily injury to himself/herself or to others, to property, or to the stability and continuance of normal University functions.
If the Judicial Officer or Committee finds the information concerning the charged student’s conduct is unreliable or that the charged student has been misidentified, charges may be dismissed. If the Judicial Officer or Committee finds that allowing the charged student to remain on campus poses no threat or disruption, the student may be allowed to remain on campus pending the completion of the hearing process.

VIII. Residence Hall Policy Violation Procedures

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

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

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

A. Informal Disposition for Residence Hall Policy Violations

1. Informal Hearing Procedures for Residence Hall Policy Violations

If the charged student selects an informal hearing, the discipline report shall serve as evidence of the infraction. The Hall Director shall serve as the official initiating the charge of misconduct, serve as hearing officer, make a determination and impose any sanction. In the event the charged student does not appear for the initial hearing with the Hall Director, the charged student shall be notified again of a new hearing within two (2) working days. If the charged student fails to appear for the newly scheduled hearing, the Hall Director shall refer the case to the Residence Hall Judicial Board for a hearing on the original charge and an additional charge of failure to comply with the directions of a University official.
2. **Right of Appeal for an Informal Hearing of Residence Hall Policy Violations**

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

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

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

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

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

**B. Formal Disposition for Residence Hall Policy Violations**

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

   a. If the charged student elects to have the case heard before the Judicial Board or is referred by the Hall Director, the Chair of the Judicial Board shall notify the charged student of the hearing date
to be scheduled within five (5) working days of the election or referral.

b. The Judicial Board Chair shall provide notice of the hearing through a University-recognized medium. Failure by the charged student to have his/her current local address on record with the University or to access notifications transmitted through a University-recognized medium shall not invalidate the notice. The notice shall set forth the date, time, and place of the alleged infraction, the conduct in question, and the date, time and place of the hearing before the Judicial Board. The charged student shall also be informed that an advisor may accompany the charged student to the hearing. If the charged student fails to appear at the scheduled time, the charged student shall be notified of a new hearing date within two (2) working days. If the charged student fails to appear for the newly scheduled hearing, the case shall be referred to the Judicial Officer for a hearing on the original charge and an additional charge of violation of the Student Conduct Code for failure to comply with the directions of a University official. If the charged student has been referred to the Judicial Board because of failure to appear for informal Hall Director hearings, the charged student will receive no second notice and the hearing will proceed without the student being present. The findings of and any sanction imposed by the Judicial Board will be provided to the student through a University-recognized medium.

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

d. At the conclusion of the questioning, the Board shall then make its findings and determinations in executive session out of the presence of the charged student. The Board shall promptly consider the case on its merits, make its findings and inform the charged student and the student’s Hall Director within two (2) working days of the findings and any sanction to be imposed.

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

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

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

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

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

IX. Student Conduct Code Violation Procedures

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

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

A. Informal Disposition for Student Conduct Code Violations

1. Informal Hearing Procedures for Student Conduct Code Violations

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

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

Sanctions of suspension or expulsion

The charged student may appeal the decision of the Judicial Officer to the Vice President for University Affairs who has final authority in the matter, within five (5) working days of the Judicial Officer’s decision. The signed and dated written appeal must be filed in the Vice President’s office prior to 5 p.m. the day of the deadline and must contain the charged student’s University identification number, date of the disciplinary action being appealed, the nature of the charges, the
grounds which merit an appeal, and any extenuating circumstances the charged student wishes to have considered.

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

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

In cases of suspension or expulsion where an appeal is filed within the required time, a charged student may petition the Student Conduct Committee Chair in writing for permission to attend classes pending final determination of the appeal. The Chair may permit a charged student to continue to attend classes under such conditions as may be designated pending completion of appellate procedures provided such continuance will not seriously disrupt the University or constitute a danger to the health, safety or welfare of the University community. In cases of other sanctions where an appeal is filed within the required time, the terms of the sanction are not enforced pending final determination of the appeal. In the event a sanction is upheld, any final disciplinary action imposed shall be effective from the date of the final appellate authority decision.
4. Record of Hearing for an Informal Hearing of Student Conduct Code Violations

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

B. Formal Disposition for Student Conduct Code Violations

1. Formal Hearing Procedures for Student Conduct Code Violations

a. If the charged student elects to have the case heard before the Student Conduct Committee, or is referred by the Judicial Officer, the Judicial Officer will immediately provide the charged student with a list of the faculty/staff and student pool members of the Student Conduct Committee and allow the charged student to make one (1) strike of any one (1) member of the ten (10) pool members. This information will be forwarded to the Chair of the Committee, who shall notify the charged student of the hearing date to be scheduled within ten (10) working days of the election.

b. The Student Conduct Committee Chair shall provide notice of the hearing transmitted either through a University-recognized medium or personal delivery to the charged student. The notice shall set forth the date, time and place of the alleged violation, the conduct in question, and the date, time and place of the hearing before the Student Conduct Committee. The charged student shall also be informed that an adviser may accompany the charged student to the hearing. Failure by the charged student to have his/her current local address on record with the University or to access notifications transmitted through a University-recognized medium shall not invalidate the notice. The notice shall be given at least five (5) consecutive calendar days prior to the hearing, unless a shorter or longer time is fixed by the Chair for good cause. If the charged student fails to appear at the scheduled time, the charged student shall be informed of a new hearing date. Any request for continuance shall be made in writing to the Chair, who shall have the authority to continue the hearing if it is determined the request is timely and for good cause. If a new hearing must be set for either the failure of the charged student to show or for a
continuance, the Chair shall notify the Judicial Officer and the charged student of the new date for the hearing. Failure to appear for the newly scheduled hearing will result in the case being referred back to the Judicial Officer who may then suspend the charged student from the University or have a bar placed on all University files and accounts preventing the conduct of University business until the charged student appears for disposition of the case in compliance with these rules.

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

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

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

2. **Scope of the Committee**

The Student Conduct Committee may:
a. permit a stipulation of facts by the Judicial Officer and the charged student involved;
b. permit the incorporation in the record by a reference to any document, affidavit or other thing produced and desired to be incorporated in the record by the University or the charged student;
c. permit the incorporation in the record by a reference to any document, affidavit or other thing produced and desired to be incorporated in the record by the University or the charged student;
d. question witnesses or other evidence introduced by either the University or the charged student;
e. hear from the Judicial Officer about dispositions made in similar cases and any dispositions offered to the charged student appearing before the Committee;
f. call additional witnesses or require additional investigation;
g. dismiss any action or permit informal disposition upon request of the charged student;
h. dismiss any person from the hearing who interferes with or obstructs the hearing or fails to abide by the rulings of the Chair of the Committee.
i. In cases involving more than one student, which arise out of the same transaction or occurrence, the Committee may hear the cases together, but shall make separate findings and determinations for each charged student.

3. Determinations and Official Report of the Student Conduct Committee

The Student Conduct Committee shall then make its findings and determinations in executive session, out of the presence of the Judicial Officer and the charged student. Separate findings are to be made as to the conduct of the charged student and the recommended sanction, if any, to be imposed. No sanction shall be imposed on the charged student unless a majority of the Committee present is reasonably convinced by the evidence that the charged student has committed the violation charged and should therefore be sanctioned by the University. The Committee shall promptly consider the case on its merits and inform the charged student and the Judicial Officer within two (2) working days of the findings and any sanctions to be imposed.

4. Other Procedural Questions for a Formal Hearing of Student Conduct Code Violations

Procedural questions which arise during the hearing not covered by these general rules shall be determined by the Chair, whose ruling shall be final unless the Chair shall present the question to the Committee at the request of a member of the Committee, in which event the ruling of the Committee by majority vote shall be final.
5. **General Rules of Decorum for a Formal Hearing of Student Conduct Code Violations**

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

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

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

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

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

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

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

The University shall maintain a video or audio record of the hearing before the Student Conduct Committee. The hearing record shall be maintained according to the University’s retention schedule. The notice, exhibits, video or audio record, the findings and sanctions of the Committee shall become the hearing record and shall be filed in the Office of the Judicial Officer. The hearing record may be stored electronically in part or in whole. For the purpose of appeal, the record shall be accessible at reasonable times and places to both the University and the student charged.

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

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

**Contact for Revision:** Judicial Officer

**Forms:** None

Return to Policy & Procedure Main Page
Workers Compensation Coverage

Original Implementation: September 1, 1975

Last Revision: October 23, 2001; January 13, 2004

All employees of the University are covered by the State Employees Worker's Compensation Act. All claims for benefits under this coverage are processed by the Assistant Safety Officer, located at 1514 Baker Street. All injuries or accidents involving University employees in the course and scope of their assigned duties shall be reported on an "Employer's Employee's First Report of Injury or Illness" (TWCC-1SSORM-29), to the Assistant Safety Officer, extension 4514. The Assistant Safety Officer will file the TWCC-1s and all required proper accident reports with the State Office of Risk Management, Workers' Compensation Division.

Responsibility for the timely reporting of on-the-job injuries rests jointly with the employee and his/her supervisor. All incidents must be reported immediately. If work is missed or immediate medical attention is required, the claim must be processed immediately. No claim is valid if reported more than 30 days after the incident. Employees who are recovering from a worker's compensation injury, are concurrently on FMLA leave, and who have exhausted all accrued paid leave are in leave without pay status (LWOP). Those employees must make a written request for a leave of absence (LOA) from the University President not to exceed a 12-month period from the beginning of their FMLA leave. Further information may be obtained from the Assistant Safety Officer in the University Safety Department.

Source of Authority: V.T.C.S., art. 8309g; President; Vice President for Business Affairs

Cross Reference: Non-Academic Employee Handbook

Contact for Revision: University Safety Officer, Environmental Health, Safety, Risk Management Department

Forms: Employer's Employee's First Report of Injury or Illness (TWCC-1SSORM-29), available in University Safety Department, Environmental Health, Safety, Risk Management Department
Stephen F. Austin State University endorses the United States Department of Transportation, (US DOT), regulations regarding drivers who must have a Commercial Driver's License, (CDL), or who operate vehicles that require the driver to have a CDL license. Stephen F. Austin will implement the procedure of US DOT regulations contained in 49 Code of Federal Regulations parts 382, 291, and 40. These regulations may be viewed at any time during working hours at the University Safety Office.

Source of Authority: US DOT Regulations; 49 Code of Federal Regulations, parts 382, 291, and 40; Board of Regents; President; and Vice President for Business Affairs

Cross Reference: Alcohol/Drug Free Workplace, Policy E-5

Contact for Revision: Director of Physical Plant, Director of Safety

Forms: None
Return to Work E-62

Original Implementation: January 28, 1997

Last Revision: October 23, 2004

It is the policy of Stephen F. Austin State University to provide a return to work program as the means to return employees to meaningful, productive employment following injury or illness. To provide the highest level of quality service to the citizens of Texas, the necessity exists for every employee of the University to be available for work, ready, and capable of performing the duties and responsibilities for which the employee was hired.

The return to work program may provide opportunities for any employee of Stephen F. Austin State University who sustains a compensable injury during the course and scope of employment, a disability as defined by the Americans with Disabilities Act, and/or a serious health condition as defined by the Family Medical Leave Act, to return to work at full duty. If the employee is not physically capable of returning to full duty, the return to work program may provide opportunities, when available, for the employee to perform a temporary assignment in which the employee's regular position is modified to accommodate the employee's physical capacities, or to perform duty at an alternate position.

Each case will be evaluated on an individual basis according to the limitations of each employee as documented by a physician and the job responsibilities of the position. The physician's documentation must be provided on the University's Attending Doctor's Return to Work Recommendations form including a thorough assessment of the employee's specifications considering their official job description. A copy of the job description must be provided to the physician and can be obtained from the Director of Human Resources. Failure to provide the appropriate documentation for light or medium duty return to work conditions may be grounds, among others, for denial of light or medium duty assignments. Light duty is limited to a specific time frame and may not exceed 12 weeks before being upgraded to medium work, then on to regular work. The University will request a release from the employee for direct communication with the physician regarding those matters that directly relate to return to work assessments. The University reserves the right to properly assess and verify the employee's physical capabilities as they relate to the job.

This return to work program shall not be construed as recognition by Stephen F. Austin State University, its management, or its employees that any employee who participates in the program has a disability as defined by the Americans with Disabilities Act of 1990. If an employee sustains an illness or injury that results in a disability under the ADA, it is the employee's responsibility to inform the supervisor or a person in a responsible management position that a disability under the ADA exists and that a reasonable accommodation will be necessary to perform the essential functions of the position held. Confirmation of the disability by a licensed physician or other appropriate medical provider as determined by the University is required. Such documentation may be assessed or verified by the University. Reasonable accommodations may be granted in conjunction with the physician's assessment of the employee's capabilities as it relates to the job and the University's needs.
As each situation arises the case will be evaluated independently by the supervisor, head of department, Assistant Safety Officer, Director of Human Resources, the physician, and other administrators as necessary. Timely contact of individuals cited in their respective areas of responsibility is required to provide the employee with prompt care and justifiable accommodations. If possible, a modified offer of employment will be proposed. The Offer of Employment form is to be used for this purpose.

**SOURCE OF AUTHORITY:** Office of the Attorney General

**CROSS REFERENCE:** None

**CONTACT FOR REVISION:** Environmental Health, Safety, Risk Management Department

**FORMS:** Attending Doctor's Return to Work Recommendations; Offer of Employment (available in: Environmental Health, Safety, Risk Management Department Safety Office)
Computer Hardware and Software Acquisition

Original Implementation: January 30, 1996

Last Revision: April 18, 2000, February, 2004

Scope and Purpose

Stephen F. Austin State University seeks to provide a coherent computing environment for the benefit of faculty, students, and staff so that needed information can be shared over the campus network structure and so that equipment and software acquired can be effectively and efficiently maintained and managed.

This policy provides guidance for the acquisition of desktop computers, applications software and related technology through creation of a list of recommended equipment and software. Specific items are suggested for acquisition and the levels and types of support that can be provided for them are enumerated. Information is also provided on connecting to the campus network for the purpose of accessing various campus resources, e.g., student and financial records and university library databases.

It is not the intent of this policy to restrict departments' ability to purchase specific computing resources, only to provide guidance in selecting equipment which will maximize their potential for utilizing campus services and computing resources support.

Equipment and Software List

Equipment and software listed have been selected and recommended based on the following criteria:

- Suitability for campus-wide use
- Performance
- Campus network connectivity
- Ease of maintenance
- Cost
- Site licensing availability

The list of supported equipment and software is regularly reviewed and updated by the Computing and Telecommunications Advisory Committee (CTAC) which accepts recommendations from any member of the university community for additional items to be listed. Recommendations should be in writing and should reflect the criteria given above. The list is located and maintained in the Purchasing Department.
recommended equipment and software information is available from the Purchasing Department or ITS Networking and Telecommunications.

Support Limitations

Departments purchasing from the recommended list of equipment and/or software may expect to receive important types and levels of support for the items acquired as specified on the list; therefore, departments are strongly advised to consult these lists. Obtain current information before finalizing purchasing decisions. Departments which purchase equipment or software outside those recommended lists assume the liability for maintenance, licensing, and other support issues.

Additional Information

Departments wanting further information and advice or whose needs cannot be met from the approved list of current recommended equipment and software are urged to contact the Computing Help Desk, ext. 1212.

Information Resources Operating Plan Requirements

Current legislation and associated State Department of Information Resources (DIR) rules require that SFASU file an agency Information Resources Operating Plan each biennium. Major information resources purchases must be identified in this plan and approved by DIR before purchases may be made. The Computing and Telecommunications Advisory Committee (CTAC) Director of Information Technology Services is responsible for all DIR plan approval. Amendments to the Operating Plan may require 30 days or more for DIR approval and, if not filed approved in advance, may delay the acquisition accordingly.

Departments contemplating major computing and data communications resource purchases of $200,000 or more must report their plans to CTAC two months before the beginning of the biennium, to be included in the operating plan.

Role of the Purchasing Office

It is the responsibility of the Purchasing Department to verify that computing and data communications resource purchases are appropriately included in the approved SFASU Information Resources Operating Plans or amendments. The Purchasing Department will also ensure compliance with all University and State Purchasing requirements and procedures. Purchases must comply with all University and State Purchasing requirements and procedures.

Source of Authority: Vice President for Business Affairs

Cross Reference: None
Contact for Revision: Director of University Information Technology Services

Forms: None
Student ID Cards

Original Implementation: Unpublished

Last Revision: October 23, 2003 February 4, 2004

Student identification cards are made during registration at a cost of $5. Students must show a valid picture ID to obtain their first SFA ID card. Cards made after registration and replacement cards are made in the University Center, Room #110 of the Reservations Office at a cost of $5 per card.

The cards are used for the following purposes:

1. The Mag strip on the back of the card allows the designated student access to the cafeterias and access into the residence halls after hours and access to Jack Bucks account, if applicable.

2. The card allows SFASU students admission into regular season home football and basketball games.

3. Certain performances in the Fine Arts Department and Student Activities are sold at a discount price to students with ID cards.

4. The card is required for identification to purchase items by check and for book buy-back in the University Center Bookstore.

5. The validation sticker placed on the front of the card upon payment of semester fees is required to enter the Health and Physical Education building and Wellness Center.

6. The Computer and Spanish Labs require the deposit of the ID card to use diskettes and tapes.

7. The University Center Games area requires the deposit of the card for use of certain games.

8. The Business Office requires presentation of ID cards to claim payroll checks.

9. The card is the property of Stephen F. Austin State University and is intended for use by the individual cardholder only.

Source of Authority: Vice President for University Affairs

Cross Reference: None

Contact for Revision: Director of Auxiliary Services

Forms: None
TELEPHONE SERVICES

Original Implementation: December 8, 1987

Last Revision: August 1, 2000 February, 2004

Information Technology Services (Telecommunications and Networking) is responsible for the administration of University telephone services. These services consist of the installation, maintenance, and operation of the University owned telephone switch, connective infrastructure, associated services, cellular services, all outside telephone lines connecting to SFA locations and billing.

All telephone services exist primarily for the daily conduct and transaction of official University business (except for student dorm telephones and campus pay phones). Personal local calls may be made but should be minimized. Personal toll calls must be charged to home telephones, personal telephone calling cards, or reimbursement to the department. Reimbursements for personal calls on a University cellular telephone should be coordinated with Telecommunications and Networking the department head (or account custodian). It is the responsibility of the department head (or account custodian) to review all telephone bills to ensure compliance with the usage policy.

All charges for telephone services, including campus telephone lines, 800 numbers, long distance calls (long distance access codes), and cellular telephones remain the responsibility of the department head (or account custodian) until written notification is received by the Assistant Director of Telecommunications and Networking for their discontinuance.

EQUIPMENT INSTALLATION/RELOCATION/ALTERATION and REPAIR

Requests for installation, relocation, or alteration, or repair of telephone equipment should be submitted to the submitted by memorandum to the Assistant Director of Telecommunications and Networking. The memorandum must include the service requested, building and room number, phone number, department account number, and contact person. A work order will be issued for the service requested and upon completion, the account will be charged by IDT if appropriate.

EQUIPMENT REPAIR

Requests for telephone equipment repair should be reported to the University Switchboard Operator by dialing 0, or to the Help Desk at extension 1212. The request must include the service requested or the nature of the problem, telephone number of the affected equipment, building and room number, department account number, and telephone number and name of a contact person. A work order will be issued, and upon completion, the account will be charged by IDT if appropriate.
LONG DISTANCE ACCESS CODE

Requests for long distance access codes should be submitted by memorandum from the department head (or account custodian) to the Assistant Director of Telecommunications and Networking. The request memorandum should include the requesting individual's name, social security number, and department account number. Requests for multiple long distance access codes (for charging to more than one account number) may be included on a single memorandum. However, full information must be provided for each access code requested.

UNIVERSITY TELEPHONE CALLING CARDS

Requests for University telephone calling cards should be submitted by memorandum from the department head (or account custodian) to the Assistant Director of Telecommunications and Networking. The memorandum must include the individual's name, social security number, and department account number. It is the responsibility of the department head (or account custodian) to submit written notification to the Assistant Director of Telecommunications and Networking when the calling card is no longer required. Additionally, the calling card must be returned to the Assistant Director of Telecommunications and Networking when no longer required, or upon termination or separation of the using individual.

CELLULAR TELEPHONE SERVICE

Requests for cellular telephone service should be submitted by memorandum using the appropriate form from the department head (or account custodian) to the Assistant Director of Telecommunications and Networking. The form is available from Telecommunications and Networking (extension 6626). The memorandum request must include the name of the primary user (or responsible person), department account number, type of cellular telephone desired, and extra equipment (spare battery, charger, carrying case, cigarette lighter connection, etc.). The department account will be charged by IDT for initial telephone equipment acquisition, and subsequent monthly usage charges. Due to the nature of cellular telephone equipment and usage areas, it is strongly recommended that telephone contact with Telecommunications and Networking (extension 6626) be conducted prior to memorandum request submission.

800 TELEPHONE NUMBERS

Requests for 800 telephone numbers should be submitted by memorandum from the department head (or account custodian) to the Assistant Director of Telecommunications and Networking. The memorandum must include the purpose of the 800 service, department account number, existing telephone number (ring extension) where the 800 number will ring, directory listing information (if appropriate), and name and telephone number of a contact person. A work request will be initiated with the Telecommunications Services Division of the General Services Commission for the
requested 800 service. A lead time of approximately four (4) weeks is required. The department account will be charged by IDT for initial installation charges (if appropriate), and subsequent monthly usage charges. Discontinuance of the 800 service or changes to the ring extension require a memorandum from the department head (or account custodian) to the Assistant Director of Telecommunications and Networking.

SOURCE OF AUTHORITY: President
CROSS REFERENCE: None
CONTACT FOR REVISION: Assistant Director of Telecommunications and Networking
FORMS: NoneCellular Request Form (available from Telecommunications and Networking)
A secure environment must be maintained for all central computer systems managed by Information Technology Services (ITS). To that end, physical access to all central facilities must be strictly regulated. The process of regulating access will include, but is not limited to, setting guidelines for personnel that will be allowed access, monitoring the physical area for access violations and reporting any suspected violations to the appropriate authorities.

Secure computing facilities at the Boynton Computer Center will be defined as the Boynton Computer Center Machine Room and the adjoining hallway between the east and west entrances to this area.

Guidelines for Access to Secure Facilities

Types of Access Allowed

**Full Access** — The individual will be given keys, door codes and alarm codes for access to the Boynton Computer Center Machine Room and may enter the facility at will.

**Limited Access** — The individual can be let in to the facility to perform designated tasks that require access to the Boynton Computer Center Machine Room.

**Escorted Access** - Individual(s) can enter the Boynton Computer Center Machine room only under continuous escort by Operations or Technical Support Staff.

Criteria Determining Access

**Full Access**

To be granted full access to secure computing facilities, an individual must meet all the following criteria:

- A regular, recurring need for unimpeded access to equipment located within the machine room 24 hours a day, 7 days a week.
- Must be employed by Information Technology Services in the Operations or Technical Support Areas, or Director of ITS.
Limited Access

To be granted limited access to secure computing facilities, an individual must meet all the following criteria:

- An occasional or intermittent need for access to secure computing facilities to perform scheduled maintenance to equipment located within the machine room.
- An occasional or intermittent need for access to secure computing facilities during hours other than 8am to 5pm Monday through Friday for scheduled maintenance procedures.
- A member of the Operations or Technical Support Staff can give the individual access to the secure area.
- The individual must be employed by the University.

Escorted Access

To be granted escorted access to secure computing facilities, an individual must meet some or all of the following criteria:

- Member of a tour group.
- A contractor or maintenance person not employed by the University that must perform maintenance, installation, construction, deinstallation, or other well-defined task that requires access to the secure area.
- A member of the Operations or Technical Support Staff must accompany the individual(s) without interruption during the duration of the individual’s stay in the secure area.

General Guidelines for Monitoring Access to Secure Facilities

Monitoring of the secure computing facilities shall be carried out by the Operations and Technical Support Staff employed by Information Technology Services. Operations and Technical Support staff should conduct regular walkthroughs of the facility while on duty. All ITS staff members are encouraged to report any activity they even remotely regard as suspicious or hostile to a member of the Operations or Technical Support Staff. Access to the machine rooms will be logged. All individuals granted limited access or escorted access to the machine rooms will sign in on a log provided at the door.

Loud or disruptive behavior will not be tolerated in secure areas of the Computer Center. Such behavior detracts from the security monitoring process as well as distracting...
personnel performing complex tasks in these areas. Individuals or groups engaging in this type of behavior will be asked to leave the area at once; individuals refusing to comply will face disciplinary action. The University Police Department can be engaged in enforcing this policy if the situation warrants.

Times of Access to Secure Area

- **Business Hours** - During the hours of 7 AM - 6 PM, Monday through Friday excluding holidays, the East and West Entrances to the secure area will be unlocked and open providing access to the hallway adjoining the Computer Center Machine Room for Faculty/Staff access. In addition, the East entrance to the Boynton Building at the corner of Aikman and East College will be unlocked during this same period. During these periods, Operations and Technical Support Staff will regularly check that the doors to the machine room are closed and locked, and that no unauthorized individuals are in the Machine Room.

- **Off Hours** - During the hours of 6 PM - 7 AM, seven days a week, the East and West Entrances to the secure area will be closed and locked. In addition, the East entrance to the Boynton Building at the corner of Aikman and East College will be closed and locked. During these periods, Operations and Technical Support on-duty staff will regularly check that all entrances to the secure area are properly closed and locked and that no unauthorized personnel are within the secure area. At any time that on-duty personnel have to leave the secure area during off-hours, no matter how brief, the alarm / security system that protects this area is to be engaged and it will be physically confirmed by the individual that all doors are locked and the bolts to these doors are properly engaged.

Guidelines for Reporting Suspected Violations

During normal business hours, the person discovering an access violation will immediately report it to the Chief Information Officer - Director of ITS or the Assistant Director - Manager of Technical Support. The University Police Department (UPD) will then be notified at once by one of these individuals. In the event the Chief Information Officer - Director of ITS or the Assistant Director - Manager of Technical Support are not available, the person discovering the violation should immediately contact UPD directly.

During off-hours, the on-duty Operations staff should immediately contact University Police at once and request assistance. Operations staff should then call the Assistant Director - Manager of Technical Support and report the situation. The Assistant Director...
Manager of Technical Support can then assess the situation and advise the Chief Information Officer - Director of ITS and others as needed. In the absence, of the Assistant Director - Manager of Technical Support, the Systems Programmers or the Operations Manager may be called to initiate action.

At any time one of the contacts can initiate the disaster recovery plan if the situation includes damage or potential further damage to the computer center that would impact normal operations. Under no circumstances should a staff member confront individual(s) committing an access violation that might even remotely be considered a threat. Staff should move to a safe location and call University Police at once. The Department of Audit Services is to be notified in writing of any access violation within 24 hours.

Source of Authority: Vice President for Business Affairs

Cross Reference: None

Contact for Revision: Director of Information Technology Services

Forms: None