

Stephen F. Austin State University

MINUTES OF THE BOARD OF REGENTS



Nacogdoches, Texas

**July 8, 2004
Volume 201**

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

July 8, 2004

The meeting was called to order at 9:00 a.m. by Chair Fred Wulf. Board members present in Room 307: Valerie Ertz, Joe Max Green, Kenneth James, Paul Pond, Mike Wilhite and Fred Wulf. Absent: Margarita de la Garza-Grahm, Gary Lopez, Lyn Stevens.

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

04-45

Upon motion of Regent James, seconded by Regent Pond, with all members voting aye, it was ordered that the executive level of the vice presidential position in Alumni Affairs should be maintained with the title of Associate Vice President for Alumni Affairs, reporting to the SFA President and Alumni Association Board, and that the position continue to serve as a member of the President's cabinet. The President should move forward in the search for this position and he should establish a search committee that includes participation of the Alumni Association and Alumni Foundation Boards.

04-46

Upon motion of Regent Ertz, seconded by Regent Wilhite, with all members voting aye, it was ordered that the following resolution be adopted by the Board of Regents to be shared with the Boards of the SFASU Alumni Foundation and the SFASU Foundation.

Resolution of the Stephen F. Austin State University Board of Regents in Support of the
Proposed Merger of the SFASU Alumni Foundation
and the SFASU Foundation

WHEREAS, the Stephen F. Austin State University (SFASU) Alumni Foundation was established for the specific purpose of holding, investing and distributing scholarship funds to students attending SFASU; and

WHEREAS, the SFASU Foundation was established as the University's "general purpose": foundation to support University programs and projects; and

WHEREAS, the University's Board of Regents recognizes that the proposed merger of these two important University support foundations would lead to a combined all-purpose University foundation which recognizes the contributions of the Alumni Scholarship Fund and other general and specific gift contributions; and

WHEREAS, the combined foundation would be governed by a Board of Alumni Association representatives and University supporters who would work together to maximize the University's fundraising efforts and endowment support; and

WHEREAS, a larger combined endowment in a merged foundation would create efficiencies in investment and management activities;

Be It Resolved that the Stephen F. Austin Board of Regents supports the proposed merger of the SFASU Alumni Foundation and the SFASU Foundation as articulated in the Memorandum of Understanding which must be agreed upon by all relevant parties.

04-47

Upon motion of Regent Wilhite, seconded by Regent Ertz, with all members voting aye, it was ordered that the minutes of April 20, May 20, and June 18, 2004 be approved.

04-48

Upon motion of Regent Pond, seconded by Regent Green, with all members voting aye, it was ordered that the following Personnel Items be approved:

Faculty Appointments for 2004 – 2005

1. Fine Arts

Dr. Bradley Charles Bailey, Assistant Professor of Art, Ph.D. (Case Western Reserve University), at a salary of \$40,000 for 100 percent time for nine months, effective August 24, 2004.

Ms. Teresa Kirchner, Assistant Professor of Art, M.F.A. (Indiana University), at a salary of \$41,000 for 100 percent time for nine months, effective August 24, 2004.

Dr. Scott LaGraff, Instructor of Voice, M.M. (State University of New York), at a salary of \$38,000 for 100 percent time for nine months, effective August 24, 2004.

2. Forestry/Sciences & Mathematics

Dr. David R. Ownby, Assistant Professor of Forestry and Environmental Science, Ph.D. (College of William & Mary), at a salary of \$50,000 for 100 percent time for nine months, effective August 24, 2004.

3. Liberal Arts

Mr. John A. McDermott, Assistant Professor of English and Creative Writing, M.A. (Marquette University), at a salary of \$36,000 for 100 percent time for nine months, effective August 24, 2004, contingent upon completion of doctorate by September 1, 2004.

Mr. Timothy B. Neary, Assistant Professor of History, M.A. (Loyola University), at a salary of \$36,000 for 100 percent time for nine months, effective August 24, 2004, contingent upon completion of doctorate by August 1, 2004.

4. Sciences & Mathematics

Ms. Lu Yu, Assistant Professor of Chemistry, M.A. (Texas Tech University), at a salary of \$40,000 for 100 percent time for nine months, effective August 24, 2004, contingent upon completion of doctorate by December, 2004.

5. Business

Mr. Donald House, (Visiting) Assistant Professor of Economics & Finance, B.A. (A&M University), at a salary of \$52,000 for 100 percent time for nine months, effective August, 24, 2004, contingent upon completion of doctorate by December, 2004.

6. Education

Dr. James C. Coleman, Assistant Professor of Secondary Education and Leadership, Ed.D. (Sam Houston State University), at a salary of \$46,500 for 100 percent time for nine months, effective August 24, 2004.

Dr. Pauline M. Sampson, Assistant Professor of Secondary Education and Leadership, Ph.D. (Iowa State University), at a salary of \$49,500 for 100 percent time for nine months, effective August 24, 2004.

Dr. Jay T. Lee, Assistant Professor of Kinesiology and Health Science, Ph.D. (University of Houston), at a salary of \$48,000 for 100 percent time for nine months, effective August 24, 2004.

Dr. Joe G. Schmalfeldt, Assistant Professor of Kinesiology and Health Science, Ph.D. (Louisiana State University), at a salary of \$48,500 for 100 percent time for nine months, effective August 24, 2004.

Staff Appointments for 2004-2005

1. UC Administration

Ms. Carol Lombardo, Coordinator of Reservations & Conferences, at a salary of \$31,000 for 100 percent time for twelve months, effective May 3, 2004.

2. Athletics

Ms. Taqueta Roberson, Assistant Women's Basketball Coach, at a salary of \$6,600 for 100 percent time for two months, effective July 1, 2004.

Changes of Status

1. Library

Ms. Priscilla F. Coulter, from Librarian Intern at a salary of \$24,000 for 75 percent time for 12 months to Librarian I at a salary of \$38,000 for 100 percent time for 12 months, effective September 1, 2004.

2. Social Work

Dr. Linda Morales from Interim Dean and Director of Social Work at a salary of \$42,631 and a stipend of \$11,611 per semester for 100 percent time for 9 months to Associate Dean and Director of Social Work at a salary of \$87,500 for 100 percent time for 11 months, effective September 1, 2004.

3. Alumni

Dr. Miles McCall, from Vice President for Alumni Affairs and Associate Professor of Communication at a salary of \$94,781 for 100 percent time for 12 months to Professor of Communication at a salary of \$74,640 and transition stipend of \$6,000 for 100 percent time for nine months, effective September 1, 2004.

4. Housing

Charlotte Lisenby, from Coordinator at a salary of \$30,000 for 100 percent time for 12 months to Area Coordinator at a salary of \$26,419 for 100 percent time for 12 months, effective March 22, 2004.

5. UC Administration

Edward Wittel, from Programmer/Analyst II at a salary of \$35,943 for 100 percent time for 12 months to Manager of Computer Support for Auxiliary

Services at a salary of \$35,943 for 100 percent time for 12 months, effective May 16, 2004.

Mr. Danny Duplechian, from Programmer/Analyst I at a salary of \$30,162 for 100 percent time for 12 months to Technology Specialist for Auxiliary Services at a salary of \$30,162 for 100 percent time for 12 months, effective May 16, 2004.

Mr. Nathan Armer, from Programmer/Analyst I at a salary of \$29,500 for 100 percent time for 12 months to Technology Specialist for Auxiliary Services at a salary of \$29,500 for 100 percent time for 12 months, effective May 16, 2004.

6. Athletics

Ms. Krissy Riggs, from Restricted Women's Basketball Coach at a salary of \$10,000 for 100 percent time for 9 months to Assistant Women's Basketball Coach at a salary of \$5,200 for 100 percent time for two months, effective July 1, 2004.

Retirements

1. Forestry

Dr. Robert Shepherd, Professor, effective May 31, 2004.

2. Post Office

Mr. Ronnie Strahan, Assistant Manager, effective April 30, 2004.

3. UC Administration

Ms. Dorris Fortson, Coordinator of Reservations & Conferences, effective May 14, 2004.

4. Health Services

Ms. Martha D. Gose, Assistant to Director, effective August 31, 2004.

04-49

Upon motion of Regent Green, seconded by Regent Wilhite, with all members voting aye, it was ordered that Dr. Sammie L. Smith, Professor, Department of Accounting, and Dr. Sandra L. McCune, Professor, Department of Elementary Education, be awarded Regents Professorships for the academic year 2004-2005:

04-50

Upon motion of Regent Pond, seconded by Regent Ertz, with all members voting aye, it was ordered that Holiday Schedule for 2004-2005 be approved. Employees are required

to take four days of vacation or compensatory time on Thursday, December 30, Friday, December 31, Thursday, March 17 and Friday, March 18.

Holiday Schedule 2004-2005

September 6	December 27	December 31	March 17
November 25	December 28	March 14	March 18
November 26	December 29	March 15	May 30
December 24	December 30	March 16	July 4

04-51

Upon motion of Regent Wilhite, seconded by Regent Ertz, with all members voting aye, it was ordered that the Summer I 2004 Underenrolled Class list be approved.

04-52

Upon motion of Regent Wilhite, seconded by Regent James, with all members voting aye, it was ordered that Stephen F. Austin State University be authorized to offer the Superintendency Program to Teague Independent School District.

04-53

Upon motion of Regent Green, seconded by Regent James, with all members voting aye, it was ordered that the revisions to the Athletic Policy and Procedure Manual be approved as presented.

04-54

Upon motion of Regent Ertz, seconded by Regent Green, with all members voting aye, it was ordered that the Fiscal Year 2005 Budget totaling \$139,436,906 be approved. The 2004-05 budget includes a 1% increase in room and board rates, a designated tuition rate increase of \$18 per semester credit hour for Fall 2004 (capped at 16 semester credit hours) and an additional \$3 per semester credit hour for Spring 2005 (capped at 16 semester credit hours), and adds a \$20 per semester credit hour discretionary (graduate) tuition rate. The budget includes increases in the cost of parking violations and parking permits for students, faculty and staff, allocates a 5% compensation-increase pool (cost-of-living, merit, and equity) for benefits-eligible employees and provides initial funding for baseball, equestrian, and student technical support programs. The detailed HEAF allocation for 2004-05 is included in Appendix No. 2.

04-55

Upon motion of Regent Wilhite, seconded by Regent Pond, with all members voting aye, it was ordered that the following Financial Affairs Items be approved:

Selection of University Insurance Provider – Property, Boiler and Machinery,

Inland Marine, Automobile, and General Liability – approval was given for the RFP process, including tabulation of proposals, and the Finance Committee of the Board was authorized to review proposals for the named lines of insurance and SORM pricing options for automobile coverage. If necessary, an exception may be requested from SORM for auto coverage; however SORM retains ultimate authority to deny such exception requests. The Finance Committee of the Board was authorized to select the University's insurance provider or providers prior to

September 1, 2004 from the options available and the President was authorized to sign the contract or contracts necessary to provide the coverage.

Directors and Officers Liability Insurance - the University was given approval to contract for D&O insurance from the SORM to be effective September 1, 2004 and the President was authorized to sign the contract.

Electric Utility Contract - the University was authorized to negotiate for an extension of the existing contract with Texas Utilities for an additional period up to 29 months or longer if favorable to the University and the President was authorized to sign the contract.

Student Technical Support - the FY 2004 Budget was amended in the amount of \$85,913 to establish and operate a Student Technical Support unit for network and personal computer usage beginning August 1, 2003. Funds are available in the auxiliary contingency. The activity will be operated as an auxiliary enterprise with plans for it to be physically located in the University Center upon its completion.

Budget Changes Less Than \$50,000 - No board action was required.

Purchase over \$50,000 (Forestry for FY 2004-2005 – Alto Watershed Project)
Approval was given for the expenditure of a maximum of \$105,600 to test water samples from the Alto Watershed Project. Sources of funding are the Center for Applied Studies in Forestry, the Forest Research Institute, and the Alto Watershed Project.

Purchase over \$50,000 (Forestry for FY 2004 – Greenhouse Renovations)
Approval was given for the completion of the renovations of the Forestry Greenhouse, including replacing the existing plumbing, electrical, misting system, and removing and replacing gas heaters, at a cost not to exceed \$85,000. Source of funding is 2004 HEAF.

Purchase over \$50,000 (Forestry for FY 2004 – Tree Physiology Lab Renovations)
Approval was given for renovations to the Tree Physiology Lab, including modifying bench-type lab area, removal of growth chambers which are no longer functional and replacement with office and storage space, at cost not to exceed \$75,000. Source of funding is 2004 HEAF.

Athletic Programs Insurance

The University was authorized to continue the RFP process and to compare proposals to the current self-insurance program to determine which method or combination of coverage provides the best value to the University. If an outside provider or combination represents the best value to the University, approval was given to secure coverage for the 2004-2005 athletic season with options to renew for two additional years, and the President was authorized to sign the contract.

Television Ad Contract

The University was authorized to contract with an outside vendor for production and placement of two television ads for a sum not to exceed \$100,000 and the President was authorized to sign the contract. This amount is included in marketing funds requested for FY-05.

04-56

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

Network Wiring – Austin and Rusk Buildings

The University was authorized to upgrade the network wiring in the Rusk and Austin buildings at a cost not to exceed \$55,590.39 and the President was authorized to sign associated contracts and purchase orders. SFA has selected a vendor (m-Optic, Longview, Texas) to complete the rewiring before the start of the Fall 2004 semester. The source of funds is Higher Education Assistance Funds (HEAF) allocated for FY2004

Facility Site Studies

The University was authorized to contract with BarWin Consultants to conduct site studies for construction of additional facilities and associated parking, at a cost not to exceed \$116,900 and the President was authorized to sign the contract. Estimated cost of the studies and flood-map revisions is to be paid from the auxiliary funds contingency

Student Residence Facilities

The University was authorized to explore the various possibilities for upgrading the existing residence halls and/or the addition of new residence halls. The study should include developing a “design criteria package” which will include a set of documents that provides sufficient information to permit a design-build firm to prepare a response to an institution’s request for proposals; or an information package with sufficient information to allow a private development firm or a design-build firm to make a proposal. The University was also authorized to explore the various methods of finance and develop a recommendation for the board. The University was authorized to expend funds and to employ a design professional(s) as required to develop required information.

04-57

Upon motion of Regent Green, seconded by Regent Ertz, with all members voting aye, it was ordered that the University be authorized to seek proposals for an architectural/engineering firm for the student recreational facilities project, which is to be a stand-alone building that is not associated with academics or athletics. The University was authorized to employ a consultant to assist in development of the initial design package.

04-58

Upon motion of Regent Pond, seconded by Regent Ertz, with all members voting aye, it was ordered that adopt the policy revisions as presented.

REPORTS

- A. Faculty Senate**
- B. Student Government Association**
- C. Vice President for University Advancement**
- D. Executive Director for Enrollment Management**
- E. Signage (postponed until the October meeting)**
- F. President**

Meeting adjourned at 11:35 a.m.

**UNDER-ENROLLED CLASSES
SUMMER I 2004**

DEFINITION OF UNDER-ENROLLED UNDERGRADUATE CLASS:

ANY ORGANIZED CLASS WITH LESS THAN TEN STUDENTS UNLESS THE CLASS IS CROSS-LISTED WITH ANOTHER ORGANIZED CLASS AND THE COMBINED CLASSES EQUAL TEN OR MORE

DEFINITION OF UNDER-ENROLLED GRADUATE CLASS:

ANY ORGANIZED CLASS WITH LESS THAN FIVE STUDENTS UNLESS THE CLASS IS CROSS-LISTED WITH ANOTHER ORGANIZED CLASS AND THE COMBINED CLASSES EQUAL FIVE OR MORE

ANY ORGANIZED CLASS WITH BOTH GRADUATE AND UNDERGRADUATE STUDENTS WILL BE CONSIDERED SHORT UNLESS TEN STUDENTS ARE ENROLLED.

DEPT/COURSE/SECTION	NUMBER ENROLLED	CREDIT HOUR	FUNDED HOURS	DAYS / TIME / BUILDING / ROOM / INSTRUCTION TYPE	FACULTY NAME	JUSTIFICATION FOR TEACHING UNDER-ENROLLED COURSE
CSC 241 001	9	3	27	MTWRF 1120AM-1250PM BU 343 LEC	Strader R	GRADUATING SENIORS
MGT 380 001	6	3	18	MTWRF 0800AM-0930AM BU 464 LEC	Ormsby J	GRADUATING SENIORS
RDG 098 001	8	3	24	MTWRF 0100PM-0230PM ED 339 LEC	Alexander V	REQUIRED AS A RESULT OF THEA
HMS 373 301	8	3	24	WEB LEC	Underwood R	FAMILY & CONSUMER SCIENCE ALLIANCE
AGR 480 001	2	1	2	TBA AG 118 LEC	Creech D	MAINTAIN SEQUENCE
THR 370 001	9	3	27	MWF 1200PM-0200PM FA 306 LEC	Nielsen A	REQUIRED CORE COURSE/GRADUATING SRS.
ENG 211 001	9	3	27	MTWRF 1120AM-1250PM F 177 LEC	Bush D	ENROLLMENT DROPPED LATE ON 4TH CLASS DAY
NUR 303 001	5	8	40	TBA NM 127 LEC	Migl K	PROGRESSION OF RN TRANSITION PROGRAM
TOTAL HOURS GENERATED IN SHORT CLASSES			189	M = Monday		
**SHORT CLASSES AS A % OF TOTAL HOURS			0.79%	T = Tuesday		
*ESTIMATED TOTAL HOURS SUMMER I '04			23,806	W = Wednesday		
*ESTIMATE FROM OFFICE OF INSTITUTIONAL RESEARCH				R = Thursday		
				F = Friday		
				S = Saturday		
				U = Sunday		

**Stephen F. Austin State University
HEAF Requests
Fiscal Year 2004-05**

Department	Item/Project	Amount
Fiscal Year 2004-05 HEAF Available		\$ 6,633,109
Debt Service	Bond Debt Service Payments	\$ 1,295,221
Instructional Capital	Academic Capital Equipment	\$ 1,250,000
Library Books and Materials	Library Acquisitions	\$ 1,250,000
Provost	Capital Equipment/Renovation	\$ 14,200
Institutional Research	Construct and Install Walnut File Cabinets	\$ 3,600
Institutional Research	HP Color LaserJet Printer	\$ 2,522
Institutional Research	Install Ceiling, Light Fixtures, and Duct Work	\$ 2,200
Institutional Research	Install Cabinet Doors on Existing Wall Cabinets	\$ 1,040
Institutional Research	Restain Light Colored Upper Cabinet	\$ 250
Enrollment Mgt (Regis/Admis)	Computers (8) and Printers (4)	\$ 21,579
Enrollment Mgt (Regis/Admis)	Laptop Computers (6) and Projector (1)	\$ 11,751
Enrollment Mgt (Regis/Admis)	Work Station Furniture	\$ 1,991
Enrollment Mgt (Regis/Admis)	Macintosh PC G 4Notebook	\$ 2,000
Enrollment Mgt (Regis/Admis)	Office of Admissions Construction	\$ 3,161
Forestry	Build Constructed Wetland Wastewater Plt PWCC	\$ 65,000
Chemistry	Renovate Stockroom to Meet Safety Stds	\$ 150,000
Biotechnology	Centrifuge Beckman Avanti w/Rotors	\$ 45,000
Information Technology Services	Microsoft Site License (ongoing expense)	\$ 55,000
Information Technology Services	Network Upgrade and Expansion (ongoing)	\$ 200,000
Information Technology Services	Supplemental Funding (ongoing)	\$ 65,000
Information Technology Services	Telecommunications Expenditures (ongoing)	\$ 135,000
Information Technology Services	Student E-mail Server Replacement	\$ 30,000
Information Technology Services	SCT Banner & Luminis Premier (1st Yr)	\$ 304,000
Physical Plant	Roof Repairs for SRC	\$ 45,000
Physical Plant	Roof Repairs for Forestry Laboratories	\$ 25,000
Physical Plant	Vehicle Replacements	\$ 50,000
Physical Plant	Bark Blower Machine	\$ 35,000
Physical Plant	Repair and Resurface Streets	\$ 45,000
Physical Plant	Crack Sealing and Hot Tape	\$ 12,000
Physical Plant	Renovate Boynton Bldg HVAC System	\$ 40,000
Physical Plant	Walter C. Todd Beef Farm (equip support/fencing)	\$ 200,000
Physical Plant	Univ Strategic Plan (in-house plan) OR	\$ 125,000
Physical Plant	Fire Safety of E&G Bldgs	\$ 300,000
Physical Plant	Upgrade Campus Lighting & Add New Signage	\$ 100,000
Physical Plant	Land Acquisition at Starr and Garner Streets	\$ 304,296
Human Resources	Replace Carpet in HR Office/Laminate in Kitchen	\$ 6,838
Human Resources	Computer Table/Desk for Training Dept.	\$ 552
Controller's Office	Business Office Security Camera & Video Recorder	\$ 5,000
Controller's Office	Computers (7)	\$ 10,500
Controller's Office	Billing System	\$ 65,000
Controller's Office	Office Chairs (5)	\$ 1,000
Purchasing	Carpet	\$ 10,500

Stephen F. Austin State University
HEAF Requests
Fiscal Year 2004-05

<u>Department</u>	<u>Item/Project</u>	<u>Amount</u>
Purchasing	Office Divider Panels	\$ 1,000
Financial Aid	PCs for Student Phone Room	\$ 12,960
Financial Aid	Notebook Computers for Outreach Work	\$ 4,980
Financial Aid	Portable Projector	\$ 2,350
Financial Aid	Furniture for Scholarship Coordinator's Office	\$ 1,120
Financial Aid	New Flooring for Entry/Student Work Area	\$ 7,438
Environ Health, Safety, Risk	Enclose Carport at Harkrider House	\$ 10,000
Environ Health, Safety, Risk	Office Furniture for New Safety Office	\$ 1,700
Environ Health, Safety, Risk	Instrumentation Multi-Gas Detector Kit	\$ 2,600
Environ Health, Safety, Risk	Sound Travel Meter	\$ 300
Environ Health, Safety, Risk	32" Training TV with Stand	\$ 1,000
Office of Development	Plantronics Vista Amplifiers	\$ 888
Office of Development	Teltone T-311 Dialers	\$ 5,520
Office of Development	Caller Stations	\$ 373
Office of Development	Manager Station	\$ 1,768
Printing	Lease/Purchase of Xerox Docutech (final 2 months)	\$ 10,463
Printing	Tabber	\$ 6,500
Printing	Tabber Extended 3 Yr Warranty	\$ 2,340
Printing	Perfing/Scoring Equipment	\$ 6,000
VP University Affairs	PC and Printer	\$ 4,200
Counseling and Career Services	Color Laser Printer	\$ 2,500
Counseling and Career Services	Text Scanner	\$ 2,000
Counseling and Career Services	Computers (5)	\$ 7,500
Counseling and Career Services	Laser Printers - Non Color (5)	\$ 4,000
Counseling and Career Services	Chairs for Conference Room (40)	\$ 2,000
Disability Services	Tiger Braille Printer	\$ 9,750
Disability Services	Captioning Encoder	\$ 5,325
Disability Services	ADA Computer Station Upgrades (2)	\$ 4,000
Disability Services	Laptop Computers (2)	\$ 4,000
Student Affairs	Printer Updates	\$ 2,400
University Police	Police Radio/Communication Equipment	\$ 213,933
Audit Services	Dell Computer and Monitor	\$ 3,000
TOTAL		<u>\$ 6,633,109</u>

**Stephen F. Austin State University
Schedule of Budget Changes
April 1, 2004 to June 23, 2004**

ACTIVITY RECIPIENT		INCOME SOURCE		DATE
ACCOUNT NAME	ACCOUNT NUMBER	SOURCE DESCRIPTION	AMOUNT	
Poultry Science Act	5-91364	Additional Revenue	2,000	4/19/2004
Equine Studies	2-02070	Additional Revenue	1,950	4/19/2004
Agricultural Development	5-91347	Additional Revenue	1,927	4/19/2004
AG Judging Contest	2-32005	Additional Revenue	5,865	4/19/2004
Pineywoods Plant Center	5-91323	Additional Revenue	25,575	4/19/2004
SFA Arboretum Fund	5-94391	Additional Revenue	10,955	4/19/2004
Human Sciences Travel	2-02810	Additional Revenue	14,515	4/22/2004
FA Director Office	5-96663	Additional Revenue	14,665	4/26/2004
School Law Conference	2-35460	Additional Revenue	2,500	4/29/2004
Beef Farm	1-00603	Additional Revenue	3,178	5/7/2004
String Studies	5-96229	Additional Revenue	8,000	5/13/2004
College of Education Cont Educ	2-30033	Additional Revenue	2,300	6/10/2004
Cheerleader Discretionary	5-91399	Additional Revenue	1,874	6/10/2004
American Heart Assoc/PWAHEC	2-30030	Additional Revenue	9,304	6/15/2004
Supplies Jewlery	2-03004	Additional Revenue	1,822	6/16/2004
Pineywoods Plant Center	5-91323	Additional Revenue	10,324	6/21/2004
TOTAL			<u>116,753</u>	

**Policies for Board Review
July 8, 2004**

C-01.2	Agency Accounts	Updated the web site for location of form to establish an account
C-33	Purchasing Ethics and Confidentiality	Policy reviewed, no changes made
C-35	Returned Checks	Increased the fee for returned checks from \$20.00 to \$30.00
C-48	Vendor Warrant Hold	Changes in formatting
D-1.1	AIDS and HIV Virus	Policy reviewed, no changes made
D-10	Driver Certification	Temporary permits valid for 180 days for Faculty/Staff or 90 days for students. All applicants for temporary permit must register for defensive driving course at the time the temporary permit is issued.
D-14	Firearms, Explosives and Ammunition	May not be carried in a passenger vehicle which is owned, leased, or operated by the University
D-32	Skating	Policy reviewed, no changes made
D-34.1	Student Conduct Code	Policy reviewed, no changes made
D-38	University Logo or Seal	Policy reviewed, no changes made
D-41	Compliance with ADA	Expanded the definition of discrimination on the basis of disability; contact for revision is the ADA Coordinator
D-45	Campus Wide Information System	Title change; major re-write
E-8N	Classified Pay Plan	Merit increases should usually be within the pay range for the position. Removed restriction on increase above the maximum for the pay grade and removed reference to "performance incentive bonus"
E-9	Compensation in Excess of Base Salary	Revised location of forms, which are available on SFA web
E-12	Dual Employment	Policy reviewed, no changes made
E-18	Employee Terminations and Transfers	Substantial re-write
E-33.1	New Employee Orientation	Substantial re-write
E-35	Outside Employment	Grammatical changes
E-50A	Tenure	Major re-write
E-51.1N	Time Clock	Correction of spelling error
F-35	Vendor Protest	Correct spacing of "offeror"

Agency Accounts

C-01.2

Original Implementation: January 20, 1998

Last Revision: ~~July 17, 2001~~ July 8, 2004

Agency Accounts are funds held by the University as custodian or fiscal agent for others. The money is deposited with the University for safekeeping, to be used or withdrawn by the depositor at will. All Agency Accounts must be related to the mission of the University. The University, at its sole discretion, will determine whether or not to establish an Agency Account.

The University reserves the right to commingle Agency funds with University funds, which may be deposited in financial institutions. Agency Accounts will neither earn interest nor be assessed administrative fees, except for identifiable bank charges directly related to a specific Agency Account. Agency funds will be managed at the same level of safekeeping as University funds. Should owners of the Agency funds wish to conduct an independent audit, they may do so by obtaining their own auditor at their own expense. Agency Accounts are subject to review by University and State officials as well as anyone legally authorized to do so.

Request to Establish an Agency Account

A request to establish an Agency Account is made by completing the "Request to Establish an Account" form (Policy C-34). The form is available from the Controller's Office or at

~~https://apache.sfasu.edu/sfa_forms/frs_acct_req.shtml~~. ~~https://apache.SFASU.EDU/sfa_forms/frs_acct_req.shtml~~. If approved, the Agency Account will be assigned an account number (0-9XXXX), which will be used by the owner when depositing or withdrawing funds.

Disbursement from an Agency Account

Owners of Agency funds may withdraw funds or make payment to vendors by either of two methods:

- Complete a "Purchase Voucher" form on-line (Policy C-31) (available at https://APACHE.SFASU.EDU/sfa_forms/purchasevoucher.shtml). Print the completed form, sign it, and submit it to the accounts payable department in the Controller's Office.
- Complete a "Request for Disbursement from an Agency Account" form, available from the Controller's Office or at https://apache.SFASU.EDU/sfa_forms/REQUEST_FOR_DISBURSEMENT.shtml. Print the completed form, sign it, and submit it to the accounts payable department in the Controller's Office.

All checks will be mailed unless written instructions are provided on these forms. Allow one week for check processing.

Negative Balances in Agency Account Prohibited

Agency Accounts are not permitted to carry negative balances. Therefore, the University may assess a \$25 institutional fine each time an account goes into a negative balance. If an Agency Account is referred for collection, the Account will be assessed all associated costs.

Source of Authority: Vice President for Business Affairs

Cross Reference: Request to Establish an Account, Policy C-34; Purchase Voucher, Policy C-31

Contact for Revision: University Controller

Forms: Request to Establish an Account (available from the Controller's Office or at https://apache.sfasu.edu/sfa_forms/frs_acct_req.html); Purchase Voucher (available at https://APACHE.SFASU.EDU/sfa_forms/purchasevoucher.shtml); Request for Disbursement from an Agency Account (available from the Controller's Office or at https://apache.SFASU.EDU/sfa_forms/REQUEST_FOR_DISBURSEMENT.shtml)

Purchasing Ethics and Confidentiality

C-33

Original Implementation: Unpublished

Last Revision: ~~October 23, 2001~~ July 8, 2004

Credibility and public confidence are vital throughout the purchasing and contracting process. If any involved party displays a lack of honesty, integrity or openness, the entire program is injured. Even the shadow of doubt can be as harmful as the conduct itself.

Any SFA employee involved in any form of procurement or the procurement process may not:

- participate in work on a contract by taking action as an employee through decision, approval, disapproval, recommendation, giving advice, investigation or similar action knowing that the employee, or member of their immediate family has an actual or potential financial interest in the contract, including prospective employment;
- solicit or accept gifts or gratuities which might tend to influence purchasing decisions;
- be employed by, or agree to work for, a vendor or potential vendor;
- knowingly disclose confidential information for actual or anticipated personal gain, or for the actual or anticipated gain of another person.

When an actual or potential violation of any of these standards is discovered, the person involved shall promptly file a written statement concerning the matter with an appropriate supervisor. The person may also request written instructions and disposition of the matter.

If an actual violation occurs or is not disclosed and remedied, the employee involved may be either reprimanded, suspended, or dismissed. The vendor or potential vendor may be barred from receiving future contracts and/or have an existing contract canceled.

If not related to a particular transaction, University employees may accept from vendors and others: (1) unsolicited advertising or promotional material such as pens, pencils, scratch pads, and calendars; (2) occasional business lunches or food and refreshments of insignificant value; and (3) other items of nominal or minor value (i.e., a box of candy or fruitcake, etc.) that are merely tokens of appreciation.

Purchasing professionals have the right under law to have any ethics question reviewed and decided by the State Ethics Commission. If you wish to learn whether a specific action violates the ethics rules, please contact the State Ethics Commission, 1101 Camino La Costa, Austin, Texas 78752 or call them at 1-800-325-8506.

Source of Authority: Vice President for Business Affairs

Cross Reference: None

Contact for Revision: Director of Purchasing and Inventory

Forms: None

Returned Checks

C-35

Original Implementation: September 1, 1987

Last Revision: ~~July 15, 2003~~ July 8, 2004

Checks presented to the University will be verified through CheckMate, a check verification service, prior to acceptance. The University reserves the right to refuse personal checks from individuals who have a history of bad checks as recorded by CheckMate.

Checks returned to the University for insufficient funds, payment stopped, or account closed will be collected by CheckMate. The Business Office shall assess a ~~twenty~~-thirty dollar (\$2030) fee plus applicable sales tax for each such check. These checks may be collected by CheckMate or other collection service. Applicable collection charges assessed will be charged to the student's account. In certain instances, checks will be turned over to the county attorney for collection.

Employees with a history of bad checks may be subject to disciplinary action.

WEBCHECK

Checks processed through WebCheck and returned to the University for insufficient funds, payment stopped, or account closed, will be collected by the University. The Business Office shall assess a ~~twenty~~-thirty dollar (\$2030.00) fee for each returned check. The amount of the returned check and the twenty dollar (\$2030.00) fee will be charged to the account of the individual.

When three (3) checks have been returned to the University for insufficient funds, payment stopped, or account closed, the University will no longer accept checks from those individuals through WebCheck.

Source of Authority: Federal Fair Debt Collection Practice Act, 15 U.S.C.A., secs. 1692-1692o; Texas Debt Collection Act, V.T.C.S., arts. 5069-11.01 et.seq.; President; General Counsel; Vice President for Business Affairs

Cross Reference: C-6 Check Cashing

Contact for Revision: General Counsel, Controller

Forms: None

Vendor Warrant Hold

C-48

Original Implementation Date: January 25, 2000

Last Revision Date: ~~October 23, 2001~~ July 8, 2004

Stephen F. Austin State University will not "contract" with a vendor or issue payment to any vendor who is on warrant hold in the State of Texas Comptroller's Taxpayer and Vendor Account Information.

As defined by the State Comptroller in Notice to State Agencies #FM00-35, dated 12/2/99, a "contract" is a commitment of agency funds for the purchase of goods or services. The vendor's warrant hold status must be verified for each individual purchase or contract BEFORE committing funds on behalf of the University. Any vendor who is found to be "on hold" is not eligible to receive the proposed "contract".

It will be the responsibility of the department placing the order to insure that warrant hold status is verified BEFORE COMMITTING FUNDS ON BEHALF OF THE UNIVERSITY. The following Departments are responsible to check vendor hold status BEFORE placing orders for the types of transactions listed below.

THE STATUS MUST BE VERIFIED NO MORE THAN 7 DAYS BEFORE, BUT NOT LATER THAN THE CONTRACT START DATE.

PURCHASING

--standing orders

--purchase orders completed from a requisition for order placement by Purchasing

BOOKSTORE PURCHASES FOR RESALE

--bookstore delegated purchases

LIBRARY BOOK PURCHASES

--library delegated purchases

STONE FORT MUSEUM PURCHASES FOR RESALE

--stone fort delegated purchases

END USER

--voucher payments

--local purchase authorization (LPA) purchases

--credit card purchases exceeding \$150

--purchases made by an employee for which reimbursement will be sought (tax status of the vendor from whom the purchase is made must be checked)

--requisitions for which a telephone po is issued

If any END USER does not wish to verify warrant hold status in conjunction with placing the type of order listed above, then a requisition must be submitted to the Purchasing Office for order placement.

The document created (LPA, requisition for telephone PO, credit card transaction log, voucher, purchase order, etc.) by the department placing the order must include a warrant hold status verification certification following the Verification Instructions below.

Requisitions for reimbursements must show the name of the vendor from whom the University employee made the purchase. The end user is required to verify a vendor's warrant hold status prior to making a purchase and requesting reimbursement. Failure to verify the warrant hold status may delay the reimbursement.

The following types of purchases do not need to be verified per verbal communications with the State Comptroller's Office in developing a balance between legislative intent and the needs of the agency.

1) credit card purchases less than \$150

2) emergency 'in the field' purchases less than \$150

3) other situations to be approved by the Director of Purchasing, wherein the failure to complete a purchase would involve public safety, or severely hinder the educational purpose or operation of the University or a University operated facility.

VERIFICATION INSTRUCTIONS

The verification process involves searching for the vendor by vendor number and/or name at the State Comptroller's web-site created specifically for verification of vendor warrant hold status. The internet address is <http://ecpa.cpa.state.tx.us/vendor/tpsearch1.html>.

The vendor number can be obtained from the FRS database, screen 203 (State Vendor ID found immediately below the Vendor Name) or by obtaining the vendor's State of Texas sales tax number. If a vendor number or sales tax number is unknown, then a name search may be attempted.

A. If the vendor number or vendor name search indicates that the vendor 1) is "not on hold", 2) returns no match, or 3) indicates the number is not on the taxpayer file, proceed with the purchase in accordance with University policies and procedures. Add the following dated statement to the document being used to commit funds on behalf of the University; i.e., voucher, lpa, requisition for telephone PO, purchase order, credit card transactions log, etc.

"Vendor Not On Hold _____ (date)."

B. If the vendor number or vendor name search indicates that the vendor is "on hold", the purchase CAN NOT BE MADE. The department should search for another vendor from whom to make the purchase.

C. If no other vendor can be located to supply the needed good or service, the department has the following options:

1. The vendor should be contacted and informed to contact the State Comptroller's office at 1-800-531-5441 to resolve the "on hold" warrant status.
2. The vendor may be given an adequate period of time to rectify his/her warrant hold status from "on hold" to "not on hold".
3. If the situation is corrected, the updated tax status must be viewed at the State Comptroller's web site or confirmed in writing from the State Comptroller. A vendor may not self-certify a corrected warrant hold status. When an acceptable warrant hold status is received, refer to A. above
4. If the situation is not corrected, contact the Director of Purchasing to determine if the failure to complete the purchase would involve public safety, or severely hinder the educational purpose or operation of the University or a University operated facility.

Source of Authority: Texas Government Code, Title 10, Chapter 2252.903; President; Vice President for Business Affairs

Cross Reference: None

Contact for Revision: Director of Purchasing and Inventory

Forms: None

AIDS and HIV Virus

D-1.1

Original Implementation: September, 1990

Last Revision: ~~January 19, 1999~~ July 8, 2004

Stephen F. Austin State University recognizes the increasing public awareness and concern over AIDS and the HIV virus. For the purposes of this policy, AIDS means acquired immune deficiency syndrome, and HIV Virus means human immunodeficiency virus. AIDS is a fatal disease that has become a nationwide public health problem in the last few years. In health related matters such as this one, the University shall follow the guidelines of recognized authorities including: the National Centers for Disease Control, the United States Public Health Service, the Texas Department of Health, and the American College Health Association. Further, the University shall conform its actions to the Texas Communicable Disease Prevention and Control Act, the Texas Human Immunodeficiency Virus Services Act, and other law.

The health status of a person infected with the HIV virus may vary from an apparently healthy, normally functioning individual to a critically ill person. However, there is no current medical evidence that persons infected with the HIV virus present a health risk to others in the normal academic or workplace setting. Routine daily encounters with others pose no risk of transmitting the fragile, blood-borne virus. Accordingly, there is no reason to exclude individuals with AIDS or the HIV virus from campus academic, social, or cultural activities. Therefore, on the basis of current knowledge of the disease, persons sharing common living space, work or study areas, libraries, classrooms, recreational facilities, and theaters do not represent a problem or public threat to the campus community.

Students and employees (faculty and staff) of the University who may become infected with the HIV virus will not be excluded from enrollment or employment, or restricted in their access to University services or facilities, unless medically-based judgments in individual cases establish that exclusion or restriction is necessary to the welfare of the infected person or of the other members of the University community.

Persons with HIV infection are entitled to the same rights and opportunities as persons with other communicable diseases. The University prohibits any discrimination in its programs and activities against a person with HIV infection unless based on accurate scientific information. Any student, faculty member, or employee who violates this rule may be subject to appropriate disciplinary action.

When circumstances arise that require review of any matter regarding HIV/AIDS, the President will seek the advice of the Director of University Health Services, the attending physician, and other relevant parties. An opportunity will be provided for persons involved in the matter to discuss their circumstances. Members of the Public Health

Committee will be available to review the issues and to provide recommendations to the President for appropriate action.

In the event of public inquiry concerning University policy, programs, problems, or statistics related to AIDS on campus, the Director of Public Affairs will serve as the official spokesperson for the University and will enlist the cooperation of the Director of University Health Services and the Public Health Committee as necessary to prepare an appropriate response. All inquiries from the press, elected public officials, or the public in general will be referred to the spokesperson. Inquiries of a more private or specific nature may be made to the Director of University Health Services or the Chair of the Public Health Committee.

The medical records and test results of any HIV-infected person on the campus shall remain confidential and private information in accordance with law. The breach of that confidentiality may result in litigation and in severe penalties, both civil and criminal. (Some exceptions to confidentiality are permitted by law.)

The University shall keep the number of people who are aware of the existence and identity of students, faculty, or staff members who have AIDS or the HIV virus to an absolute minimum to protect the confidentiality and privacy of the infected persons and to avoid the generation of unnecessary fear and anxiety on the campus. However, public information shall be disclosed upon request in accordance with the Texas Open Records Act, the Family Educational Rights and Privacy Act, the Texas Communicable Disease Prevention and Control Act, the Texas Human Immunodeficiency Virus Services Act, and other law.

Persons who know, or have a reasonable basis for believing, that they are infected with the AIDS virus are expected to seek expert advice about their health circumstances and are obligated, ethically and legally, to conduct themselves responsibly in accordance with such knowledge for the protection of other members of the University community. The University encourages regular medical follow-up for such persons.

The University shall carefully observe the safety guidelines established by the U.S. Public Health Service for the handling of blood and other body fluids and secretions in University Health Services and in other institutional contexts in which such fluids or secretions may be encountered (e.g., teaching and experimental laboratories).

The University shall strictly observe the public health reporting requirements for AIDS and HIV infection as well as other communicable diseases.

The University shall make this policy available upon request to students, faculty, and staff members and such a statement will be included in the Policy and Procedure Manual on the University's web page.

Policy for the Work Environment

In the work setting, the University's major concern will be whether an HIV-infected employee will be able to satisfactorily perform job duties. The University will make accommodations to keep an employee with HIV infection employed and productive for as long as the employee is capable of this performance.

Most HIV-infected employees will be able to perform their job duties for an extended period before their illnesses interfere with job-related performance. During the asymptomatic period, the employee is not obligated to provide information about his/her HIV status to the University. However, an employee may want to share information about his/her HIV-infected status with University officials so that responsible management decisions may be made about:

1. assignments or reassignments of job duties;
2. evaluating leave policies to assure leave time comparable to other medical conditions;
3. determinations of possible qualification for disability entitlements; and,
4. monitoring the insurance status of the HIV-infected employee to assure continuation of coverage.

Once HIV-related symptoms occur, the employee has the responsibility as in the case of other illnesses to provide medically verified information relating to the ability to perform job duties.

Based on federal and state law, any medical documentation of information provided by an HIV-infected employee to University officials must be considered confidential and private information. As such, University officials are forbidden by law from disclosing this information to others without the employee's knowledge and consent. (Some exceptions to confidentiality are permitted by law.) The University requires that any consent to disclosure by the employee be in writing. Any University employee who breaches the confidentiality of this information commits a serious offense that may be cause for litigation, resulting in both civil and criminal penalties.

University employees who refuse to work with HIV-infected co-workers may be subject to disciplinary action. University departmental chairs and directors should carefully monitor and document any instances of such refusal in violation of this policy and take appropriate disciplinary action.

At least once each year, Personnel Services shall conduct an HIV/AIDS training program or distribute an educational pamphlet for University employees and include in the program and/or pamphlet:

1. current medical information about HIV transmission and prevention;

2. confidentiality and related laws;
3. personnel management, including relevant policies;
4. development of staff problem-solving skills; and
5. a plan for scheduled periodic training.

Also, each year Personnel Services shall conduct HIV/AIDS employee education programs to:

1. provide basic and accurate information regarding the modes of transmission and prevention of HIV infection;
2. reduce fear and misinformation of HIV/AIDS;
3. help faculty and staff recognize and avoid personal behaviors that might cause them to become infected with the HIV virus;
4. encourage nondiscrimination, which enables the HIV-infected person to remain employed as long as feasible;
5. help maintain productivity and lawful behavior in the workplace;
6. provide continuing information about HIV/AIDS; and
7. distribute to all employees a copy of the Texas Department of Health's educational pamphlet entitled "AIDS: THE WORKPLACE."

At a minimum, the HIV curriculum will include:

1. modes of transmission;
2. methods of prevention;
3. behaviors related to substance abuse;
4. current laws and regulations concerning the rights of an AIDS/HIV-infected individual; and,
5. behaviors associated with HIV transmissions which are in violation of Texas law.

On an employee's request, the University shall pay the costs of testing and counseling an employee concerning HIV infection if the employee:

1. provides appropriate documentation that the employee may have been exposed to the HIV virus while performing duties of employment with that agency; and,
2. was exposed to the HIV virus in the manner that the U.S. Public Health Service has determined is capable of transmitting the HIV virus.

However, an employee who may have been exposed to the HIV virus while performing job duties at the University may not be required to be tested for the HIV virus.

For the purpose of qualifying for worker's compensation or any other similar benefits or compensation, an employee must provide the employer with a written statement of the date and the circumstances of the exposure and document that within 10 days after the exposure the employee had a test result that indicated an absence of HIV infection.

The cost of an employee's testing and counseling shall be paid from funds appropriated for payment of worker's compensation benefits to state employees. Counseling or a test conducted in accordance with these provisions shall conform to the model protocol on HIV counseling and testing prescribed by the Texas Department of Health.

In compliance with the Texas Communicable Disease Prevention and Control Act, the University Police Department shall adopt a policy for handling persons with AIDS or HIV infection who are in its custody or under its supervision. The department's policy shall ensure that education programs for employees include information and training relating to infection control procedures and that employees have infection control supplies and equipment readily available.

The University shall adopt and implement workplace guidelines similar to the workplace guidelines for state agencies listed in the Texas Human Immunodeficiency Virus Services Act for any program involving direct client contact that is funded by one of the listed state agencies.

Policy for the Academic Environment

The University shall allow, to the extent possible, HIV-infected students, whether they are symptomatic or not, to continue regular classroom attendance in an unrestricted manner as long as they are physically able to attend class.

The University recognizes that there is no medical justification for restricting the access of HIV-infected students to the University Center or to University cafeterias, snack bars, gymnasiums, swimming pools, recreational facilities, or other common areas.

The University recognizes that the best currently available medical information does not support the existence of a risk to those sharing residence halls with HIV-infected individuals; in some circumstances, however, there may be reasonable concern for the

health of those with AIDS or the HIV virus who might be exposed to certain contagious diseases (e.g., measles or chicken pox) in a close living environment. Thus, decisions about residential housing of students with AIDS or the HIV virus shall be made on a case-by-case basis. The University may decide to assign students with AIDS or the HIV virus to private rooms in the interest of protecting the health of those students. The University shall provide education programs about AIDS and the HIV virus to its residence hall staff (both students and employees).

Since there is no medical necessity, the University shall not advise others living in a residence hall of the presence of students in the residence hall who have AIDS or the HIV virus. The University believes that the responsibility to provide a safe living environment is best dealt with by educational programming. Similarly, the University shall not make any attempt in any other setting to identify those students or employees who have AIDS or HIV status.

The University shall not routinely ask students about their status regarding AIDS or the HIV virus. However, the University shall encourage new students to inform the medical staff at University Health Services if they have AIDS or the HIV virus in order that Health Services can provide proper medical care and education. The Health Services staff will handle this information, like all other medical information, in a strictly confidential manner in accordance with University policy and with federal and state law.

The University shall not provide any person, group, agency, insurer, employer, or institution with confidential medical information about students with AIDS or the HIV virus without the specific written consent of the student. Given the possibility of unintended or accidental compromise of the confidentiality of information, University Health Services staff will carefully weigh the importance of including any specific information regarding the existence of AIDS or the HIV virus in the medical record of a student except in circumstances of medical necessity created by the evaluation of an illness. At a minimum, the inclusion of any such information in the medical record should be discussed with the patient prior to its entry.

The University shall make available to students, on request, the educational pamphlet on HIV infection developed by the Texas Department of Health and shall include in the University's web page a statement that the pamphlet is available from University Health Services.

University Health Services shall provide accurate, understandable information on how to prevent the transmission of HIV infection in compliance with Section 51.919 of the Texas Education Code.

In further compliance with Section 51.919 of the Texas Education Code, the curricula of the nursing, counseling, and social work degree programs of the University shall:

1. include information about:

- a. methods of transmission and methods of prevention of HIV infection; and
 - b. federal and state laws, rules, and regulations concerning HIV infection and AIDS; and,
2. give special attention to the physical, emotional, and psychological stress associated with the care of patients with terminal diseases.

Source Of Authority: Texas Human Immunodeficiency Virus Services Act, Texas Health and Safety Code, Chapter 85; Texas Communicable Disease Prevention and Control Act Texas Health and Safety Code, Chapter 81,; Texas Education Code, sec. 51.919; Board of Regents; President

Cross Reference: None

Contact For Revision: General Counsel

Forms: None

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Driver Certification D-10

Original Implementation: May 4, 1983

Last Revision: ~~July 17, 2001~~ July 8, 2004

Driver certification is required for any University employee who must drive a University vehicle, including rented or leased, within the scope of his/her employment. Such certification is processed through the University Police Department (UPD). An "Application Approved Drivers Certification" form is obtained from the Administrative Secretary in UPD and should be signed at the bottom by the applicant's department head.

Upon receipt of the driving record report from Austin, and in compliance with University requirements, UPD will: (a) issue a temporary permit valid for 180 days *for Faculty and Staff or 90 days for Students*, (b) issue a permanent permit valid for three years, or (c) deny driver certification. *All applicants for a temporary permit must register for a scheduled defensive driving course at the time the temporary permit is issued.*

A defensive driving course must be completed in order to receive a permanent permit and must be completed every three years to maintain the permanent permit. The temporary permit is issued: (a) prior to completion of the defensive driving course and (b) for specific-use purposes, such as an academic field trip.

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

Cross Reference: None

Contact For Revision: President

Forms: Application Approved Drivers Certification

Firearms, Explosives, and Ammunition

D-14

Original Implementation: Unpublished

Last Revision: ~~October 20, 1998~~ July 8, 2004

Firearms, ammunition, explosive devices, or illegal knives may not be brought on to the campus of Stephen F. Austin State University or any property which is owned, leased, or operated by the University, *or a passenger vehicle which is owned, leased, or operated by the University*, without the written permission of the President.

Requests for permission to bring any of the above-listed items on campus must be submitted in writing to the President. The President will advise the University Police Chief and the Director of Safety of requests for permission which has been granted as outlined herein.

Source of Authority: Sec. 46.03, Texas Penal Code; President

Cross Reference: None

Contact for Revision: General Counsel

Forms: None

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Skating

D-32

Original Implementation: January 24, 1989

Last Revision: ~~July 17, 2001~~ July 8, 2004

No person may roller skate, in-line skate (roller blade), skateboard, or use coasters of any type on University property.

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

Cross Reference: Parking and Traffic Regulations, Index D-24 as related to bicycles

Contact or Revision: Chief of University Police

Forms: None

Student Conduct Code

D-34.1

Original Implementation: January 1998

Last Revision: ~~October 23, 2003~~ July 8, 2004

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

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

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

Stephen F. Austin State University is unequivocally opposed to any activity by an organization or individual(s) within the organization that is herein defined as hazing. Hazing is defined as any intentional, knowing or reckless act occurring on or off campus by one person alone or acting with others, that endangers the mental or physical health or safety of a currently-enrolled or prospective student for the purpose of new member intake, being initiated into, affiliating with, holding office in, or maintaining membership in that organization.

Hazing acts include but are not limited to:

- a. any type of physical brutality such as whipping, beating, striking, branding, electronic shocking, placing a harmful substance on the body, or similar activity;
- b. any type of physical activity such as sleep deprivation, exposure to the elements, confinement in a small space, calisthenics or other activity that subjects the student to an

unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;

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

d. any activity that intimidates or threatens the student with ostracism, that subjects the student to extreme mental stress, shame or humiliation or that adversely affects the mental health or dignity of the student or discourages the student from entering or remaining registered at the institution, or that may reasonably be expected to cause a student to leave the organization or the institution rather than to submit to the acts described in this policy;

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

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

It is not a defense to prosecution of an offense that the person against whom the hazing was directed consented to or acquiesced in the hazing activity.

Individual penalties relative to criminal prosecution range from a fine of 2,000 and 180 days in jail for failure to report a hazing incident to a fine of \$10,000 and two years in jail for an incident which causes the death of a student. Further, an organization may be penalized with a fine up to \$10,000 or double the expenses due to the injury, damages or loss.

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

Sanctioned Student Organizations

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

Delta Sigma Theta (December 2004)

Kappa Alpha Order (May 2005)

Zeta Phi Beta (December 2005)

2. Illegal Drugs

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

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

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

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

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

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

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

9. Interfering with normal University or University-sponsored activities, including, but not limited to, studying, teaching, research, and University administration. Disruptions in classrooms or other instructional areas will be seen as interference with a University activity.
10. Violating the terms of any disciplinary sanction imposed in accordance with these policies.
11. Furnishing false information to the University.
12. Giving false testimony or other fraudulent evidence at any University disciplinary proceeding.
13. Unauthorized alteration or use of any University documents or records.
14. Failing to comply with the directions of a University official, including University police officers and residence hall staff, acting in the performance of their duties.
15. Violating any University policy, rule, or regulation. Such policies, rules, and regulations may include, but not be limited to, the residence hall contract, as well as those policies, rules, and regulations relating to the use of University facilities, handbills and petitions, solicitation, signs, guest speakers, and parades and demonstrations.
16. Interfering with the freedom of expression of others on University property or at University-sponsored activities.
17. Advocating, orally or in writing, the conscious and deliberate violation of any federal, state, or local law. For the purposes of this section, "advocacy" means preparing the group addressed for imminent action and steeling it to such action, as opposed to the abstract espousal of the moral propriety of a course of action.
18. Damaging, defacing, or destroying the property of others on University property or at University-sponsored activities.
19. Damaging, defacing, or destroying University property, including, but not limited to, buildings, statues, monuments, library and teaching materials, memorials, trees, shrubs, grasses, and flowers.
20. Wrongful utilization of university goods, services or information including, but not limited to, unauthorized possession or use of University keys, security codes, long distance phone access codes or calling cards, cable service and sale or use of University property for personal gain.
21. Improper use of student identification card. This includes allowing use of card by another to obtain services such as, but not limited to meals, event admission, and library services.

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

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

Cross Reference: SFASU Web Pages

Contact for Revisions: Judicial Office

Forms: None

University Logo/Seal

D-38

Original Implementation: Unpublished

Last Revision: ~~December, 1987~~ July 27, 1999 July 8, 2004

Requests for the use of University logos such as the Lumberjack, Ladyjack, or other emblems, should be directed to the Associate Athletic Director where they will be forwarded to the University's contracted licensing agent. The University retains all rights to the logo and licensing revenue is dedicated to support the University Athletic Department. The official seal is reserved for University use.

Source of Authority: 15 U.S.C. sec. 1127 et seq.; Texas Business and Commerce Code sec. 16.01 et seq.; President

Cross Reference: None

Contact for Revision: Vice President for University Affairs, General Counsel

Forms: None

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Compliance with the Americans with Disabilities Act

D-41

Original Implementation: October 19, 1993

Last Revision: ~~April 20, 2004~~ July 8, 2004

The Americans with Disabilities Act signed into law on July 26, 1990, acknowledges the findings of congress that millions of Americans have one or more physical or mental disabilities. The legislation provides a comprehensive national mandate for the elimination of discrimination against individuals with disabilities.

It is the intent of the Board of Regents of Stephen F. Austin State University to comply with both the letter and the spirit of the Americans with Disabilities Act ("ADA") as well as the Rehabilitation Act of 1973 and other laws protecting the rights of persons with disabilities. Compliance measures should address the necessity to provide opportunities to qualified persons with disabilities in employment and in access to education, where this will not pose an undue burden or fundamentally alter the programs of the institution. The Board recognizes that compliance with ADA requires increased awareness of all University employees and a commitment of institutional resources. Further, it is the intent of the Board to continue this institution's strong commitment to meeting the special needs of individuals with disabilities, and that this commitment remain an integral part of the educational mission and service component of Stephen F. Austin State University.

It is the intent of this institution that ADA compliance measures shall include the following:

- Diligently pursue the identification and elimination of physical, communication and attitudinal barriers to activities, programs, or series operated or sponsored by the institution, including employment, academic criteria, student and public services, and facilities.
- Implement procedures for raising awareness of the requirements of ADA throughout the institution;
- Provide coordinated and timely response to requests from individuals with disabilities;
- Create a task force to support the efforts of an ADA Coordinator and ensure continued sensitivity to special needs of individuals with disabilities.

University policy prohibits discrimination against faculty, staff or students on the basis of race, color, religion, sex, age, national origin, disability or disabled veteran status.

Definition:

Discrimination on the basis of disability means:

- *to limit, segregate, or classify a job applicant or employee in a way that may adversely affect opportunities or status because of the applicant's or employee's disability;*

- *to participate in a contract which could subject an applicant or employee with a disability to discrimination;*
- *to use any standards, criteria or method of administration which could have the effect of discriminating on the basis of disability;*
- *to deny equal jobs or benefits because of a disability;*
- *to fail to make reasonable accommodations for known physical or mental limitations of an otherwise qualified individual unless it can be shown that the accommodation would impose an undue hardship;*
- *to use selection criteria which exclude disabled persons unless the criteria are job related and consistent with business necessity; and,*
- *to fail to use employment tests in a manner that ensures that the test results accurately reflect the applicants or employee's skills or aptitude for a particular job*

Source of Authority: The Americans with Disabilities Act of 1990 42 USC Sec. 12101 et seq., Rehabilitation Act of 1973 (29 U.S.C. 706(8)) Board of Regents, President

Cross Reference None

Contact for Revision: ~~Director of Human Resources~~ ADA Coordinator

Forms: None

CAMPUS WIDE INFORMATION SYSTEM **University Web Development**

D-45

Original Implementation: August 1, 2000
Last Revision: ~~April 30, 2002~~ July 8, 2004

I. Purpose

~~Campus Wide Information System (CWIS) University web sites is both an~~ are important public relations recruiting and retention tools for the university and sources of vital information for current and its prospective students, faculty, ~~students,~~ and staff. Consequently, the web ~~CWIS-site should-must~~ be managed to ensure that information is accurate, pertinent, and easily accessible to users while at the same time recognizing the creative diversity of campus departments and programs, ~~including those with disabilities.~~

In addition, Texas law requires that every state agency establish a web site to communicate with the public, post specific information and meet certain accessibility requirements. The law also requires each agency to establish specific policies, procedures, guidelines and responsibilities for the site.

This policy establishes standards for all university web pages ~~linked to the CWIS A~~ university web page is any page linked to the university's primary or recruitment web sites in which university resources (i.e. money, staff time, server space etc.) are involved in any way in the page's creation and distribution regardless of location or subject matter. Only web pages prepared and maintained in accordance with university policy will be linked. This policy and its associated style guides are designed to help the university create a clear and consistent identity on the web and to help web developers create pages that communicate clearly and properly, ~~that display properly, and that use the elements of SFA's visual identity. It is intended that by doing this the university will establish and maintain a coherent appearance for the CWIS university web site, promote a positive image for the university achieve a minimum level of quality on all pages, clearly ensure assign accountability for page content and ensure accuracy of information presented in the name of the university.~~ This policy is intended to supplement state law, rules, and regulations. Web page developers should refer to the laws and regulations concerning World Wide Web Guidelines (http://www.sfasu.edu/new_wwwguidelines.html) and 1 T.A.C. Sec. 201.12 State web sites in the statutes (<http://www.state.tx.us/Standards/S201-12.htm>) (appendix) 206.1-6 [http://info.sos.state.tx.us/pls/pub/readtac\\$ext.ViewTAC?tac_view=4&ti=1&pt=10&ch=206&rl=Y](http://info.sos.state.tx.us/pls/pub/readtac$ext.ViewTAC?tac_view=4&ti=1&pt=10&ch=206&rl=Y) for additional information on developing web pages .

It is not the intent of this document to place unnecessary constraints on the design and content of individual pages. All campus organizational units are encouraged to create pages which reflect their mission, goals and needs, limited only by the minimal requirements established by this policy.

II. Publications Policy

The ~~CWIS~~ *university website* is a quasi-university publication. The university is reflected in the appearance and content of its web pages. Therefore, ~~CWIS~~ *web* pages should be prepared with this function in mind. *The same or greater amount of care* should be taken to ensure that information is accurate, up-to-date and consistent with *the* university's mission *as would be taken with a print publication*.

III. Copyright and Privacy

Information created by a government agency is largely considered to be in the public domain. "Found" graphics or outside information must not be used on web sites without proper attribution; ~~and~~ Copyright laws and university copyright policy must be followed.

Specific web-based forms that require personal information from a visitor must post a privacy policy or a link to the policy at the top of the page/form indicating how the information, including information collected in server logs or cookies, will be used and under what conditions the information may be shared or released to another party. The form must include a provision for the individual to opt-out of sharing the information with another party.

IV. Commercial activity

Commercial activity is not allowed on any university site. ~~The Campus Webmaster will implement the Platform for Privacy Preferences (P3P) on the main page and key entry points to the CWIS.~~

IVV. Responsibility

A. The University Web Development Committee is responsible for establishing and maintaining a priority structure for web development, reviewing cases of conflicting priority, and advising the Web Development Office with strategic planning and decisions management. The committee serves as final arbitrates disputes and reviews all requests for exemptions from this policy. Pending the University Web Ccommittee's review, disputes, exemption or other requests, the decisions of the Campus Webmaster regarding disputes, exemptions or other requests will be in effect.

*B. A library staff member designated by the university Library Director serves as Campus Webmaster. The Campus Webmaster designs oversees the Web Development Office (WDO). The WDO has overall responsibility for the operational management of the university's primary and recruitment web sites. The WDO designs the university home page and index pages; assists provides leadership in the development of ~~CWIS~~ *university web* policy and guidelines;*

assesses user satisfaction; establishes and maintains an ~~SFA Whisterv ebmasters~~ group in mySFA and other lines of communications with campus web page developers; advises works with the Web Development Committee CWIS Committee on matters pertinent to CWIS web development and management; and maintains links to organizational unit web pages in accordance with this policy. The WDO also creates official university web templates and ~~works with~~ assists departments in the development of site designs that are consistent with university policy, mission and image. ~~Campus Webmaster WDO may will refuse to link web pages which are not prepared or maintained in accordance with university policy, have not been approved by the WDO or other pages as directed by the Web Development Committee.~~

~~The WDO has overall responsibility for the operational management of the university web site and specifically the university home page and index pages.~~

C. The administrative head of each campus organizational unit maintaining a web site is responsible for seeing that the site ~~Responsibility for each office or department web site is delegated to and the responsibility of each department or office head. In this distributed model of Web management, the WDO has the coordinating responsibility to help ensure that the web policies are implemented, style guidelines are followed and that SFA's web sites are effective. adheres to this and other university policies.~~

D. ~~An i~~Individuals designated as University Server Administrator by the Director of Information Technology Services manage the main CWIS-university web server. ~~Unless their files are exceptionally large, organizational units may are encouraged to use this server in lieu of maintaining their own.~~

E. Every organizational unit head shall designate an individual(s) to serve the following functions: Pagemaster, Webmaster, and if applicable, Server Administrator. (The same person may serve in one or more of these capacities.) To ensure continuity, these individuals must be regular (non-student) university employees. However, the organizational unit head is responsible for the unit's web site and its adherence to university policy. Careful thought must be given to the collection of site content and the ongoing responsibility of site maintenance.

~~The~~ Each organizational unit head will keep the ~~Campus Webmaster WDO~~ apprised of the current designees and will assist the WDO in ensuring that all of the designees' responsibilities have been fulfilled. All units must register their web sites and their designees in the SFA Site Database at [http\(name goes here\)](http://name goes here). All designees must join the "SFA Web Developers" group in mySFA and attain certification by attending classes offered by WDO. ~~All designees will be required to attend certification class that will covering their roles, university policy, guidelines and procedures and use of the content management system (CMS regarding the web and will provide the necessary training for a university content management system (CMS) in regards to their responsibilities.~~

(1) Pagemasters are responsible for web page quality. ~~They should regularly~~ *They should continuously* review their organizational unit pages for accuracy, clarity, ~~of expression, proper grammar and spelling~~ and consistency with university and organizational unit mission, policy *and visual identity*.

(2) Webmasters are responsible for the technical ~~aspects~~ *maintenance* of the organizational unit's web pages. They ensure that proper linkages are maintained between pages and to the university home page. They check and remove dead links on a *regular* basis and otherwise ensure that pages *perform as intended and* are maintained in accordance with the technical requirements of *state law*, this policy, *university style guides* and *other university guidelines*.

(3) Server Administrators are required for all organizational units which maintain their own servers. Server Administrators are responsible for maintaining and monitoring their organizational unit's files in accordance with this policy. ~~Departments/Divisions~~ *Organizational units* with collections on the main SFASU server should work with the University Server Administrator to utilize these features. *Unless their files are exceptionally large, organizational units are encouraged to use this server in lieu of maintaining their own. All servers must conform to university policy "Computer & Network Security" D-8.1.*

VI. Web Page Standards

A. Design

University web sites must either use a standard SFA web template provided by the University Web Development Office, or the web site owner must work with the WDO to develop an approved non-standard template. Web site owners wishing to develop their own non-standard template will contact the WDO prior to development to discuss the issue and obtain detailed requirements. The WDO will review all non-standard templates. ~~The University Web Development Committee will decide ultimate resolution of any disputes that may arise regarding web design.~~

B. All requests for exemptions from this policy must be submitted to the University Web Development Committee for approval before the site is deployed. Exempted sites will be reviewed by the Web Development Office and possibly the University Web Development Committee.

Brand

SFA's branding or corporate identity system will primarily consist of four elements:

1. A set of unique logos and marks
2. A set of official colors
3. A set of official typefaces
4. A set of navigation links and standards

The branding ~~and consistent look and feel appearance~~ of the University web site ~~and the association of a specific web page with the university~~ will be accomplished through the management of these elements. Style guides and standards will be developed based on materials provided by the Director of Enrollment Management ~~delivered by the university's marketing consultant and the University Marketing Committee.~~ These guidelines and standards must be used unless ~~the University Web Development Committee has given an exemption.~~ an exemption has been granted through the procedures enumerated in this policy.

The degree of application of the SFA corporate identity or branding will depend on which of the following categories a particular web site or web page fits. Different guidelines, standards and templates will be specified for each category.

(1) Core Web Site: The Core Web Site category is maintained by the WDO (i.e. university homepage and index pages) and includes the top level web pages that consolidate information from several different departments. ~~and is maintained by the WDO (i.e. university homepage and index pages)~~

(2) Recruitment Site: The recruitment site includes all pages associated with the goSFA.com site. It is developed and maintained by the WDO and the Director of Enrollment Management, ~~and will be directed by the University Marketing Committee.~~

(3) Primary Unit Sites: These sites include all web sites representing university offices and departments of interest to prospective students and other non-SFA related users. Examples of these sites would include Admission, Registrar, Financial Aid and all academic departments and programs. ~~It will be the responsibility of the head of each unit to see that these sites are in compliance with all policies and guidelines.~~ Templates created by the WDO can be used for these sites or ~~they~~ WDO can ~~work~~ assist with the WDO site manager ~~sto~~ with the creation of specialized templates.

(4) Course or Academic Project Pages: Pages made by faculty or students to support course work or research projects are the responsibility of the individual in charge of the project or the particular individual that created the page. Minimal requirements will be made for these pages. ~~and they are subject to~~

~~review by the departments chair or dean, the WDO or Campus Web Committee.~~

(5) ~~mySFA: mySFA functions primarily as a campus intranet serving the SFA community and is intended for on-campus use. Only the pages in the mySFA accessible to prospective students must follow this policy. portal are not required to follow these guidelines for pages that will not be accessible to prospective students or to anyone not logged into mySFA.~~ However, standards of accuracy, accessibility, currency and compliance with state and federal laws are expected.

(6) ~~Other Web Sites Sponsored Organization: Web sites of organizations sponsored by SFA are the responsibility of the president of the organization and may have minimal style and content requirements~~ Other web sites:

~~Unofficial Web Sites: Include student web pages, personal staff pages, student organizations and external professional organizations. These sites are the responsibility of the individual or organization creating the site and not the university. If any of these sites violates state or federal law, or if the individual or organization producing the site is no longer associated with SFA the site will be removed. Minimum content and style requirements will need to be met.~~

~~Commercial activity is not allowed on any university site.~~

~~Exceptions: as stated earlier all exceptions must be approved by the Campus Web Committee before they can be put into place.~~

~~In conjunction with the CWIS Oversight Committee, the Campus Webmaster formulates World Wide Web Guidelines to help organizational units create web pages that are well designed and written. The Campus Webmaster may be contacted with questions about page appearance or content. The following are required:~~

C. Technical Requirements

(1) Load Time. Load time goals and requirements ~~are enumerated in~~ should conform to any standards enumerated in 1. T.A.C. Sec. 206.1- 6 State Web Sites Rules and Regulations.

(2) Duplication. To facilitate revisions and prevent contradictory information from appearing on the *University web site*, ~~unit unit~~ Webmasters should *not duplicate information already on the university web site but should instead link to information on the site of the office primarily responsible for the function or activity. link to needed information already on the university web rather than duplicating the information on their own sites. Offices responsible for producing the information must be the source of the information whether it is linked to or duplicated from their site.* Information should be entered into the university's content management system and used from the system when available.

(3) Identification. Each web site's association with Stephen F. Austin State University must be clearly identified. The name of the organizational unit should be on every page it creates. The ~~unit Unit~~ Webmasters or Pagemasters e-mail address must be displayed on the unit's main page. To preserve anonymity, generic e-mail addresses may be used.

(4) Required page links. *Documents should be designed to minimize users' reliance on navigational aids in browsers. Explicit* Links must be provided on each page back to the homepage for that document or collection, *and for the homepage, which must in turn include an explicit link back to the sponsoring department or unit. Each department or unit homepage must also include an explicit link back to the SFASU homepage. Other links may be required for different web sites as directed by the University Web Development Office.* ~~Documents should be designed to minimize users' reliance on navigational aids in browsers.~~

(5) Broken/Dead Links. Broken or dead links occur as pages are modified, moved, or deleted over time. If pages are maintained according to this policy, there should be no links on pages that *consistently* produce error messages or otherwise do not work. Unit Webmasters should check frequently for broken or dead links on their pages. *An error rate of greater than 3% is, in most cases, unacceptable. To facilitate review by unit Webmasters, the WDO provides a frequently updated link report for each unit's web site at <http://libweb.sfasu.edu/wdo/linkchecks/default.htm> . Departments that fail to keep site links current will have links to their department removed from the university web site until the site is ~~fix~~repaired.*

(6) Page dates. Each page ~~should~~ *must* be dated to reflect the latest update to the page.

(7) Under construction. Under construction messages or image signs may not be used.

(8) Names. Files, folders, and images should not have spaces in the name. ~~Spaces are often overlooked when users type URLs. Moreover, s~~Spaces in links *are*

unconventional and occasionally do not work with some browsers or link checkers.

(9) Index designation. Every directory on the central server must include a file named "index.htm or "html."

(10) Mission statement. Every organizational unit must display its mission statement on its web site and must provide a prominent link from this statement to the university mission statement.

D. Outsourcing

If an organizational unit seeksutilizes web development assistance, paid or volunteer, outside of the Web Development Office, the University does not guarantee that it will add the products of that labor to the University web site. Units considering outsourcing web development ~~must~~should contact the WDO first. The WDO will work with units and their web consultants to help ensure that ~~outsourcing efforts are not wasted, that~~ the final product of outsourcing efforts complies with university policy and that the final site supports the mission and goals of the unit and the university effectively. ~~The results of these efforts may be reviewed by the University Web Development Committee.~~

DE. Content

Responsibility for accuracy of web content is delegated to various deans, directors, managers and their designees:

(1) Faculty web pages must be approved by the relevant dean or designee.

(2) ~~Unit/Office or Departmental~~ web pages must be approved by the relevant director/manager or designee.

(3) SFA home page and corporate top level pages must be approved by the Campus Web Master and ~~the University Marketing Committee~~ the Director of Enrollment Management.

(4) Administrative material, ~~e.g., e.g.~~ policies, minutes of meetings, are to be approved by ~~Authorized Officer and VC as appropriate~~through appropriate administrative channels prior to posting.

(5) All pages must have the following information located on the page footer.

- The name or position of the person that granted approval.*
- The date the approval was granted*
- Last modified date*

- *A contact or feedback link to an email address or a page listing various ways to contact SFA.*

(6) Obsolete or out-of-date material must be removed as soon as practical

(7) The Web Development Office will remove links on the university home page and index pages to material that is considered obsolete.

VII. ADA Compliance

Pages must be accessible to persons with disabilities. See the Stephen F. Austin State University World Wide Web Guidelines and 1. T.A.C. Sec. 206.2 State Web Sites Rules and Regulations for additional information on meeting requirements of the Americans With Disabilities Act (ADA).

(1) Text files must be available for sound files containing substantive spoken content. All sound files must have appropriate alt tags.

(2) Images and other visual files must include an ALT tag and appropriate text.

VIII. Policy Violations

If a particular web page or site fails to comply with this policy, the Web Development Office will:

(1) Contact the Pagemaster of the page ~~and~~ to discuss the problem and, when possible, ~~help~~ offer assistance to achieve an acceptable solution.

(2) If the problem is not adequately ~~being~~ addressed within five business days the WDO will then contact the unit head to ~~work out~~ plan an acceptable solution.

(3) If the problem is still not adequately addressed within another five business days the WDO will notify the vice-president of the appropriate division and remove all links to the offending web site from the university home page, index pages and other web pages, ~~then refer the problem to the Provost and vice-president of the appropriate division and the University Web Development Committee. After informing the aforementioned individuals and groups the Campus Webmaster is authorized to enforce the removal of the material from any server within the university.~~

(4) The appeals process in section V can be used to resolve any conflicts arising from the decisions of the WDO.

VIII. Exceptions: All requests for exemptions from these standards must be submitted to the University Webmaster for approval before the site is deployed. The University Web

Development Committee will arbitrate any disputes that may arise regarding the application of these standards.

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

Cross Reference: ~~SFASU Home Page; SFASU Webmaster~~ None

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

Forms: None

Classified Pay Plan

E-8N

Original Implementation: September, 1990

Last Revision: ~~April 20, 2004~~ July 8, 2004

GENERAL

All funds disbursed by the University are subject to University regulation and control, regardless of original source. Therefore, all classified employees are covered by this policy, regardless of the source of funds.

This document has been developed to assist in administering the Classified Pay Plan ("Plan") for Stephen F. Austin State University. It includes the current fiscal year Salary Schedule consisting of approved pay grades, the table of approved job titles and codes, and an alphabetical listing of all job codes and titles.

Human Resources (HR) must be contacted if the need arises for a new job code or title. Otherwise, only the job codes or titles which appear in this Plan apply.

Recommendation for employment of a person will be made on a Personnel Action Request Form ("PAR"). This form shall reflect the job title, job code, pay grade, and the salary for the position being filled. The appointee may not be employed and shall not be allowed to work until the PAR has been fully approved through proper channels. Regardless of source of funds, rates of pay for positions included in the Plan shall be consistently and equitably administered whether the employee is full-time, part-time, or temporary.

All classified positions, except temporary positions, shall be posted with HR for a minimum of five work days. All vacancies will be posted on the Human Resources Website. Temporary positions are not required to be posted for five work days. HR recruitment sources will receive job posting notices on a regular basis.

Approval of promotions, transfers or demotions made in accordance with University policies and procedures is delegated to the Director of HR and the appropriate Vice President.

Recommendations for promotion, transfer or demotion shall be submitted to the Director of HR on a PAR with appropriate justification as may be necessary. Such submission shall be made prior to any commitment being made and prior to the effective date of the proposed change of status to provide for review of the request, determination as to the availability of funds, and compliance with all University policies.

The Plan shall be approved annually by the Board of Regents on the recommendation of the President.

CLASSIFIED EMPLOYEES

The Plan governs all positions except executive, administrative, professional and faculty positions and is reviewed and approved periodically by the President. The basic responsibility for development, continued maintenance, and administration of the Plan is assigned to the Director of HR.

Classified employees are identified by job code. Each job title has been assigned a unique code to facilitate reporting and preparation of the current operating budget as well as various state and federal reports.

A pay grade (pay range) has been established for each job code. Each classified employee must be within the pay grade for his or her job title.

Some employees have attained a pay rate greater than the maximum for their job codes. This occurred due to employment policies in effect prior to September 1, 1993. Such employees will retain their "out of grade" status until such time as their employment ceases or they are promoted to a higher job classification.

ENTRY LEVEL PAY RATES

All vacant positions will normally be filled at the entry level (minimum of the pay range) for the position. Employees being hired into a part-time position will receive a percentage of the minimum of the range (Example: Part-time employee being hired at 50% FTE will be paid at 50% of the minimum of the range). However, provision has been made to allow an employee to be hired at a rate higher than the minimum, under the following conditions:

- a) Two percent may be added to the minimum of the pay range for each year of relevant experience in excess of the minimum requirements. The experience may be in a similar position in higher education, in state or federal government, or in private industry. No more than eight percent may be added to the minimum of the pay range under this provision.
- b) Two percent may be added for each two years of formal education training above the minimum requirement for the position. Training must be related to the position being filled. No more than four percent may be added to the minimum of the pay range under this provision.

The entry level salary may not be greater than the current budgeted salary for the vacant position. No more than a total of eight percent may be added to the minimum of the pay range under these two provisions combined.

Each request for an entry level salary that is less than or greater than the minimum of the pay range must be approved in advance by the appropriate Vice President and Director of HR before any offer of employment is made to the applicant.

MERIT INCREASES

Employees may be eligible to receive a merit increase based upon the results of their performance rating for the prior year. Merit increases will normally be granted only at the beginning of the fiscal year (September 1) unless otherwise approved by the appropriate Vice President and the President.

Merit increases will be determined by:

- a) the availability of funds,
- b) the employee's demonstrated work performance being consistently equal to or above the fully acceptable level (as defined in the Performance Management Plan),
- c) the employee's length of service,
- d) comparable salaries paid to other employees within the University who have the same job title, and
- e) maximum increase limits as determined by the President on an as needed basis.

~~Any merit~~ Merit increases ~~must~~ *should usually* be within the pay range for the position. ~~There are no exceptions.~~

~~In no case will a merit increase be granted that will result in a pay rate above the maximum established for the pay grade of the employee concerned. (See Section on Reclassification and Promotion.) However, an employee whose current rate is above the maximum for the position may receive a "performance incentive bonus" increase if their performance rating is equal to or above the fully acceptable level as defined in the Performance Management Plan. The performance incentive bonus increase is defined as a one time payment processed with the September payroll which does not increase the employee's base salary but rewards the employee for outstanding and exceptional performance.~~

Merit Increases must be submitted by the immediate supervisor through appropriate administrative channels at the time of budget planning and must be consistent with performance documentation.

An employee may be eligible for a merit increase when the following criteria have been met:

- a) the employee has been employed for at least six continuous months, and
- b) the employee was employed during the performance review period which is being rewarded with merit, and
- c) at least six months have elapsed since the employee's last promotion or merit increase, and

d) the supervisor has completed a timely review of the employee's performance and the performance rating is fully acceptable, commendable, or outstanding.

Legislated general "across-the-board" or "cost-of-living" increases will be applied according to the legislation. Depending on the availability of funds, merit increases may be granted in addition to the general increase.

If the employee's base salary is below the salary range minimum for his/her job, it will be adjusted to the minimum of the range on September 1 of each year provided that the employee is performing at the "fully acceptable" level or above.

This is the sole basis for salary increases except for equity adjustments that must be approved by the Director of HR and the appropriate Vice President.

RECLASSIFICATION

Reclassification is defined as a change in the job description for a budgeted position. It does not relate to the employee who currently fills the position. The purpose of reclassification is to more accurately describe the functions of the position. It may or may not involve a change in the existing rate of pay for the position.

Reclassification is the reassignment of a given position to a different title within the Plan.

Reclassification is warranted when:

- a) the span of control increases, i.e., increased number of employees to supervise,
- b) when new responsibilities have been added, or
- c) the function of the position in the department warrants a change to an existing job description in a higher or lower pay grade.

Reclassifications shall be determined by an analysis of the duties, level of responsibilities, minimum required qualifications, reporting relationships, and availability of resources for the position. Reclassification may result in a higher or lower pay grade. Reclassification of a position shall not be made to fit the qualifications of an individual employee but to reflect the qualifications required for the duties to be performed. The reclassification process shall not be used to request pay raises for incumbent employees.

Employees who remain in positions which are reclassified to a higher or lower pay grade will be compensated at their current rate of pay or at the minimum of the range for the new classification, whichever is greater.

The reclassification process is as follows:

- a) The director or chair determines that the functions of a classified position within the department have changed.
- b) A Reclassification Request Form ("Request Form") and a Position Questionnaire ("Questionnaire") must be obtained from HR. The department chair or director is responsible for completing both forms.
- c) The Request Form and Questionnaire shall be completed in accordance with the instructions. Statements about the incumbent employee are unacceptable. The forms are forwarded to the Dean, if applicable, and then to the appropriate Vice President. If the Vice President concurs with the request, he or she will approve the Request Form and forward both forms to HR. Otherwise, the forms will be returned to the originating department.
- d) The Director of HR shall analyze and verify job information provided. Areas of concern will be resolved with the person submitting the request. Information used to analyze the request will be provided to the Reclassification Review Committee ("Committee").
- e) The Committee will consist of the Vice Presidents who report to the President and the President. The Committee is not a standing committee, and will function only when reclassification requests are to be evaluated.
- f) The Committee will make the final decision regarding the reclassification requests and report the findings to the Director of HR who will notify the originating departments.
- g) Approved requests will be forwarded to the Director of Financial Services and the Vice President for Business Affairs for inclusion in the operating budget.
- h) Reclassified positions and salary adjustments if any, will take effect only on September 1.
- i) Once a reclassification request is approved, the originating department may then proceed with the process of filling the position. However, the new salary and title approved in the reclassification process will only become effective on September 1.

PROMOTIONS

Promotions are defined as an increase in job responsibilities and a change in job title to a higher pay grade. An example is a change from Accounting Clerk I to Accounting Clerk II.

INTERNAL PROMOTIONS

- a) The possibility for an internal promotion may result from a position reclassification or a position with a higher pay grade becoming vacant.

- b) It is not required that a vacant position be publicly advertised if it is to be filled by internal promotion. However, it must be posted within the University to allow all employees an opportunity to apply for the position.
- c) An employee who is promoted shall receive a two percent increase or the minimum of the range for the new position, whichever is greater. However, if the employee's experience and formal education exceeds the minimum requirements for the position, the salary may be increased according to the same criteria used for hiring an outside applicant. (See Section for "Entry Level Pay Rates")
- d) The promotion must be approved in advance by the appropriate Vice President and the Director of HR.
- e) The request for promotion must be supported by past performance evaluations.
- f) It is the department's responsibility to prepare the necessary PAR for a promotion and to submit the form at an appropriate time. Promotional increases will not be retroactive. They will be effective on the date the promotion is approved.

VACANT POSITIONS

- a) In order to process filling a vacant position, the HR Form 10 ("PER-10") must be completed, approved, and forwarded to HR.
- b) A vacant position must be advertised through HR recruitment sources before an applicant is selected. The decision to advertise a vacant position in the media is a joint decision between the Director of HR and the department manager. The requesting department pays any advertising costs.
- c) If the selection of a current employee to fill the vacant position results in a higher pay grade for the employee, the minimum salary paid to the employee must be equal to the employee's current salary plus two percent, or the minimum of the pay grade for the new position, whichever is greater. However, if the employee's experience and formal education exceeds the minimum requirements for the position, the salary may be increased according to the same criteria used for hiring an outside applicant. (See Section for "Entry Level Pay Rates").
- d) The promotion of a current employee to fill a vacant position must be approved in advance by the appropriate Vice President and the Director of HR.
- e) The request for promotion must be supported by past performance.

TRANSFERS

When an employee is transferred to another position having the same or different title, but the same pay grade, the employee shall be given the same salary as before the transfer.

An employee being transferred to a position that represents a change to a lower pay grade constitutes a demotion. (See Section on Demotions.)

Employees accepting transfer from one job to another requiring substantially different qualifications or promotion to a position of added qualifications shall not be subject to the 180 day probationary period.

DEMOTIONS

Demotion is the assignment of an employee to a position with a lower pay grade, fewer responsibilities, and simpler duties.

The employee's salary will be adjusted to an appropriate level within the new salary range as agreed upon by the director or chair of the department and the Director of HR. The new rate shall be determined by consideration of the circumstances related to the demotion and the employee's longevity and job performance.

A request for demotion of the employee may be submitted to the Director of HR. The Director of HR and other appropriate University personnel will determine whether the supervisor has ample documentation to support the demotion request.

An employee may make a written request to the Director of HR for a demotion to a lower classification.

All demotions are subject to approval through the appropriate administrative channels prior to the action occurring.

ESTABLISHMENT OF NEW POSITIONS

New classified positions are those created for the first time and to which no incumbent is assigned. Establishment of new classified positions, regardless of source of funds, requires the prior approval of the President.

The requesting director or chair shall prepare a New Position Request Form with details of the position requested and forward this form through the normal channels for approval.

The Director of HR shall evaluate the new position using existing job analysis and evaluation procedures.

The Director of HR shall recommend a starting salary to the Vice President for Business Affairs for certification of funds.

ADDITIONS OR DELETIONS TO THE PLAN

The Director of HR shall constantly review the Plan for relevance and fairness and make recommendations for adjustments of the Plan to the Vice President for Business Affairs.

After review, the Vice President for Business Affairs will make recommendations for Plan modifications to the President.

PROBATIONARY PERIOD

All new classified employees will be hired for a 180 day probationary period at the rate specified in the Pay Plan for the position. There is no automatic increase in pay after completion of the probationary period.

During and at the completion of the 180 day period, the employee's supervisor will review his or her performance and make a recommendation whether the employee is to be retained or dismissed.

PERFORMANCE REVIEW

Review of the employee's job performance is best provided through continuous open communication between the employee and the immediate supervisor.

Supervisors are required to perform annual evaluations for all classified employees.

The Director of HR will provide consultation to supervisors on performance evaluation methods.

RE-EMPLOYMENT OF FORMER EMPLOYEES

Appointments of former employees shall be governed by the rules on entry level rates.

Source of Authority: Vice President for Business Affairs

Cross Reference: None

Contact for Revision: Director of Human Resources

Forms: Personnel Action Request, see Index E-39; Classified Position Personnel Requisition; New Classified Position/Reclassification Request; Performance Management Plan and Review (all available in Human Resources or University Printing Services)

Compensation in Excess of Base Salary E-9

Original Implementation: April 13, 1988

Last Revision: ~~October 23, 2001~~ July 8, 2004

This policy establishes guidelines for the total allowable compensation paid to faculty and staff from University-controlled funds to insure compliance with federal and state regulations.

General

1. Each faculty and staff member is accountable to Stephen F. Austin State University for 100 percent of the duties and facilities associated with the employee's basic appointment. The primary obligation of University employees is the full and complete execution of all assigned duties and responsibilities.
2. State regulations prohibit the appointment of University employees for more than 100 percent time for services considered to be regularly assigned duties associated with an individual's full-time responsibility. Any individual who is dually employed with the University and with another state or federal agency must obtain prior written approval from the President and the Board of Regents before entering into any activity for which additional compensation is to be requested or paid.
3. Employees may be requested to provide consulting, extension, and/or other activities within the University that are considered to be in addition to their regularly assigned duties for which additional compensation may be paid.
4. All activities for which an employee is to receive additional compensation through the University must be approved in writing by the employee's department chair, dean, and the appropriate vice president prior to work commencing on the "Request for Additional Compensation Employment" form.
5. Without exception, all payments to University employees for additional compensation will be made through Payroll Services and requests will be submitted on a "Request for Additional Compensation Employment" form.
6. Non-exempt (classified) employees must be compensated for work in excess of forty (40) hours in any work week in accordance with compensatory or overtime payment regulations and procedures. No classified employee will be paid on a Request for Additional Compensation Employment form unless it is casual, seasonal work that must be performed outside their regular department.
7. The base salary period for a full-time faculty appointment is the academic year (normally September 1 through the following May 31). Summer months and periods of time during the academic year when the University is not in session, e.g., weekends, holidays, semester breaks, are not included in the base salary period. However, regular

University activities for which faculty may be responsible are on occasion scheduled outside the base period.

Other Activities

1. The activities listed below are considered as additional responsibilities for which an employee may receive extra compensation, the total of which may not exceed 20 percent of base salary during any appointment period.

2. The rate of additional compensation paid for activities performed during other than appointment periods may not exceed 100 percent of the salary rate paid during the preceding appointment period at the University.

3. The following activities are examples of acceptable justifications:

- a. special projects assigned as overload by University administrators;
- b. consulting or other special services conducted for a University department or area other than the employee's department;
- c. services beyond normal duties of the position held which cannot be reimbursed by compensatory time;
- d. increases in teaching load assigned by the *Provost/Vice President for Academic Affairs*;
- e. duties performed by an employee not under contract at the time the duties must be performed.

Source of Authority: 29 U.S.C., sec. 201 et seq.; V.T.C.S., arts. 5165 to 5165a; Board of Regents; President

Cross Reference: None

Contact for Revision: Vice President for Business Affairs

Forms: Request for Additional Compensation Employment, Additional Compensation Approval (both available in ~~University Printing Services~~ on the SFA web at <http://www.sfasu.edu/personnel/AdditionalCompensation.htm>)

Dual Employment

E-12

Original Implementation: Unpublished

Last Revision: July 17, 2001-8, 2004

Employees who are employed in two positions within Texas government must have prior Board approval and are subject to the following provisions:

1. Separate leave records will be maintained for each employment.
2. Time worked in one position may not be used as additional tenure credit for purposes of longevity or annual leave accrual for the other position.
3. Upon termination of one employment, the leave balances accrued under that employment may not be transferred to the remaining employment.
4. The state's contribution towards the taxes imposed on the employee by the Federal Insurance contributions Act may not exceed the overall limit specified in the General Appropriations Act. The Comptroller shall prescribe such uniform accounting and reporting procedures as necessary to ensure that expenditures for this purpose do not exceed this limit.
5. The total state contribution toward the employee's group insurance will be limited to no more than the amount specified in the General Appropriations Act for full time active employees.
6. The employee will be entitled to receive longevity payment for no more than one employment.
7. Overtime compensation will accrue for each employment totally independent of the other, except that when an employee works in a dual employment capacity where the employee is subject to the overtime provisions of the Fair Labor Standards Act (FLSA) of 1938, 29 U.S.C., sec. 201 et seq., in either employment, the employing agency or agencies must consider all combined time worked in excess of 40 hours per week as overtime and compensate the employee in accordance with the FLSA provisions applicable to joint employment relationships. In cases where the dual employment is with two separate agencies, the two agencies shall coordinate in order to determine which agency shall have the responsibility to assure that the employee is properly compensated in accordance with such provisions.
8. Employees are to be informed of their obligation and responsibility to inform both employers of their intent to accept additional employment with the state.

Source of Authority: Texas Constitution, art. 16, secs. 33 and 49; Texas Government Code Chapter 574; General Appropriations Act; President; Vice President for Business Affairs

Cross Reference: None

Contact for Revision: General Counsel

Forms: None

Employee Terminations and Transfers

E-18

Original Implementation: Unpublished
Last Revision: July 25, 20028, 2004

It is preferred that employees give at least two (2) weeks notice to their supervisors prior to termination *or retirement* from the University or transfer to another department. All sSupervisors are responsible for immediately notifying Human Resources of all faculty, staff, graduate assistant, ~~and student employment~~ terminations, *retirements*, and transfers. Notification will be accomplished through completion of a *Personnel Action Request (PAR)*, see policy E-30, and the "Administrative Account Disablement" form, (available as a business form through the www.sfasu.edu website).

~~Timely notification~~Notification ~~may~~ must be given prior to the termination, *retirement*, or transfer date, ~~preferably in the last week of employment, but~~ and must be given no later than the day the employee leaves his/her department. The purpose of this notification action is to alleviate security risks and *prompt the termination of accounts such as email, long distance access, internet connectivity, purchasing privileges, HRS, FRS, and SIS system access and building access.* This notice also alerts certain departments to verify whether or not the employee has outstanding financial matters to be resolved. *If the employee has any outstanding debts to the university, the employee's department should notify Human Resources and/or payroll immediately so that the matter can be reviewed. Early notification will not terminate an employee's accounts until the effective date. The PAR notification process should be started as soon as possible to allow for routing through the appropriate channels for signature.*

~~Employee termination or transfer also requires the supervisor to complete a "Personnel Action Request" form that is routed through the appropriate administrative channels.~~

Failure to notify Human Resources in a timely manner may cause the employee's department to be charged for the employee's benefits unnecessarily. All employees leaving the employment of the University are required to complete a checkout procedure with Human Resources. ~~Human Resources will provide verification the employee has finalized all University business including return of Library materials, safety equipment, uniforms, keys, and that all outstanding financial matters with UPD and/or the Business Office have been resolved. Employees will be notified by Human Resources if there is outstanding business in a particular department. If so, the employee must clear the matter prior to their exit interview.~~

As part of the exit process, the department in which the employee works must administer a departmental exit process to finalize business matters involving the terminating or retiring employee. A departmental checklist form is available on-line at www.sfasu.edu/personnel to assist the department in accomplishing this task. The departmental checkout form is to be signed by the department head, the employee and forwarded to Human Resources for the employee's personnel file. Human Resources will

verify whether or not all departmental business is cleared such as keys collected, credit cards returned, uniforms returned, files and equipment returned, time sheet signed and that the Administrative Account Disablement form and the PAR have been submitted.

Employees leaving the employment of the university are required to complete an exit interview or checkout procedure with Human Resources and clear all outstanding financial matters prior to their exit interview.

~~Human Resources will~~*The employee should contact Human Resources to schedule an exit interview with the employee to be conducted in Human Resources or by mail, but it is the department head's responsibility to ensure that the terminating employee has scheduled an exit interview no later than the last day of employment.*

It is to the employee's benefit to have an exit interview where they will obtain information about their retirement funds, discuss benefits and make arrangements for their last paycheck. It is important that a~~At this time the employee will complete a separation questionnaire, receive information regarding their retirement funds and will provide Human Resources with a forwarding address be given to Human Resources so that the employee's where W-2's and COBRA (health care continuation) information can be sent to them. The employee will be given an opportunity to complete a separation questionnaire during the exit interview.~~

Source of Authority: Vice President for Business Affairs

Cross Reference: Non-Academic Employee Handbook

Contact for Revision: Director of Human Resources

Forms: Personnel Action Request, see Index E-39 (~~available in University Printing Services~~); Employee Checkout Form (available in Human Resources), Administrative Account Disablement (available at www.sfasu.edu website)

New Employee Orientation

E-33.1

Original Implementation: September, 1990

Last Revision: ~~October 23, 2001~~ July 8, 2004

The purpose of this policy is to ensure that new employees receive sufficient orientation to enable them to perform their assigned duties. It is the responsibility of each department to require new employees to participate in the New Employee Orientation that consists of ~~two~~ four (4) parts. *The hiring department is responsible for scheduling the new employee for orientation with Human Resources prior to the new employee's first day of employment. New employee orientation consists of certain federally regulated forms that must be completed by the new employee within the first three (3) days of employment. The new employee must bring documents to the orientation session that verifies their identity and authorization to work. They should also plan to bring relevant information with them to enroll any dependants in health insurance (such as birth dates, social security numbers, and addresses). New Employee Orientation is normally held on Monday mornings in the Human Resources department.*

1. ~~One~~ The first orientation session is conducted by Human Resources on or before the first day of employment. In this session, the new employee receives detailed information about SFASU, completes a New Employee Orientation packet which includes their benefit selections, payroll information, ~~federal~~ Federal Immigration & Naturalization forms (I-9), and receives *information about training about the university policy on discrimination and sexual harassment and other benefits.*

2 The second orientation session is ~~an individual~~ the departmental employee orientation, conducted within the first six weeks of employment by the employee's immediate supervisor. This session is provided to acquaint the new employee with University policies and procedures, departmental details, and information regarding the expectations for performance of the job duties. *The supervisor should use the "New Employee Orientation Checklist" provided by Human Resources to insure that they have covered all the essential information needs of the new employee. The completed checklist should be returned to Human Resources and will become a permanent part of the employee's personnel file. Each department should maintain a copy for their files.*

~~The supervisor should use the "New Employee Orientation Checklist" provided by Human Resources to insure that they have covered all the essential information needs of the new employee. The completed checklist is to be returned to personnel and will become a permanent part of the employee's personnel file. Each department should maintain a file copy.~~

3. *The third session is conducted by Human Resources in a separate, mandatory training normally held within 30 days of employment regarding EEO laws. The employee should receive notice to attend through their immediate supervisor as requested by Human Resources.*

4. *The fourth session is also mandatory training conducted by Human Resources. The training explains the University's Performance Management and Review Plan and applies to all non-faculty employees. Human Resources will schedule all new hires affected by this policy to attend the training.*

While orientation is required for all new employees, the supervisor should maintain flexibility as to the extent of the orientation sessions, i.e., individuals having previous University employment may not require the in-depth training that would be needed by a first-time employee. At the supervisor's discretion, an employee transferring from one University department to another may be required to participate only in the ~~individual~~ *departmental* employee orientation (see No. 2 above).

Source of Authority: Vice President for Business Affairs

Cross Reference: ~~None~~ *Performance Management and Review Plan – Policy E-57*

Contact for Revision: Director of Human Resources

Forms: New Employee Orientation Checklist (available in Human Resources)

Outside Employment

E-35

Original Implementation: April 21, 1981

Last Revision: ~~October 23, 2001~~ July 8, 2004

Outside employment, for purposes of University policy, is engagement in any activity other than for Stephen F. Austin State University for a fee, salary, or profit. If one establishes or joins a firm, private business, or engages in the private practice of some professional skill, it is considered outside employment if it requires, on the average, more than ten hours per month, including weekends. Such employment must be approved annually in writing and in advance by the appropriate academic dean, director or vice president. This policy applies to all ~~salaries~~ *non-classified*, full-time employees of Stephen F. Austin State University whose employment obligations are not limited to a standard eight-hour day, and to officers of the University Police Department.

University employees who propose to engage in outside employment must adhere to the following guidelines and any applicable laws.

1. Proper performance of the ~~employees'~~ *employee's* University assignment is paramount and outside work will assume a position secondary to University duties.
2. The employee may not use any materials or facilities of Stephen F. Austin State University in the course of outside employment.
3. The employee will make a reasonable effort to assure that his/her outside employment is not identified with Stephen F. Austin State University.

An individual desiring permission to engage in outside employment must complete the "Request for Approval for Outside Employment" form and route it through administrative channels to the appropriate academic dean, director or vice president for approval, prior to beginning outside employment. Each academic dean or director will provide a summary report of individuals approved for outside employment to the vice president by mid-term of the fall semester. Each vice president will provide the President with a summary report from each respective division.

Source of Authority: Board of Regents, President

Cross Reference: Faculty Handbook, Non-Academic Employee Handbook

Contact for Revision: President

Forms: Request for Approval of Outside Employment (available in University Printing Services)

Tenure

E-50A

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

Last Revision: ~~July 17, 2001~~ July 8, 2004

I. General Provisions ~~Definition~~

A. For purposes of this policy:

1. "Tenure" means the entitlement of a faculty member¹ with the academic rank of instructor or above to continue in his/her academic position unless dismissed for good cause. It ensures academic freedom and protects faculty from retribution.
2. "Department" is a subdivision of the college. A college that is not further subdivided is referred to as a department, e.g. the College of Forestry and Steen Library.
3. "Chair of the Department" is the academic administrator immediately responsible for the department. ~~The director of Steen Library shall be referred to as the "chair."~~
4. "Tenure Review Dossier" (referred to hereafter as dossier) as used in this policy shall be defined as a set of verifiable materials showing evidence of the candidate's fitness for tenure. The dossier should contain a succinct, substantive, and cumulative record of the candidate's performance during the probationary review period (see IV.A.2, of this policy). Any material generated during the review process will become an integral part of the dossier, and nothing shall be removed.

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

C. The Stephen F. Austin State University Policy Manual establishes a uniform system of procedures to be used for tenure in all academic units of the University. Each college and department of the University shall also establish its own written policy governing its tenure decision-making guidelines, to direct departments where circumstances require or permit flexibility or variation. Each policy must

conform to University Policy E-50A and contribute to the mission of the department, college, and the University.

D. The University tenure policy relies upon several principles:

1. Recommendations for ~~Decisions of~~ granting or denying tenure shall be based on a verifiable record of performance.
2. The required content of the dossier and the departmental criteria shall be known by the candidate and the reviewers.
3. While variation related to the nature of the candidate's activity is expected, the content of the dossier should conform to the same criteria for all candidates in the same department.
4. The governing procedures shall be the same for all candidates across the University, except where conditions or academic cultures justify variation among colleges or among departments within a college.
5. Tenure procedures must be applied consistently to all candidates.
6. Each person in the review process has a professional responsibility to treat information that evaluates another's work as confidential unless otherwise required by law.
7. Generally, the tenure and promotion process should be linked for faculty who have served the full probationary period. ~~In general, tenure should be linked to promotion to assistant or associate professor.~~
8. Unconfirmed allegations of misconduct made against a candidate during the review process shall not be considered by the reviewers; confirmed misconduct that occurred during the probationary period is a valid consideration for reviewers.

Tenure means the entitlement of a faculty member¹ to continue in his/her academic position unless dismissed for good cause, and tenure is awarded by the institution according to established procedures after an appropriate probationary period.

A faculty member with tenure shall not be dismissed until he/she has received reasonable notice of the cause for dismissal and been afforded an opportunity for a hearing following established procedures of due process.

II. Appointments²

- A. With the exception of special appointments clearly limited to a brief association with the University and reappointments of retired faculty members on special conditions, all full-time appointments³ to the rank of instructor or a professorial rank above are of two kinds: probationary or tenured.
1. Appointments with tenure require that prior to the appointment, the appointee complete the procedure for acquiring tenure at this institution.
 2. Probationary appointments ~~may be for one year, or for other legally stated periods,~~ are subject to annual renewal.
 - a. Beginning with full-time appointment to the rank of instructor or a professorial rank above, the probationary period for a faculty member shall not exceed ~~seven~~ six years at this institution, including within this period credit granted for appropriate full-time service in all institutions of higher education.
 - b. The dossier must be submitted in the fall semester of the sixth year of probationary service unless permission is granted by the Provost for earlier submission.
 - c. At the discretion of the University, prior full-time service at another university of normally no more than two years, but a maximum of three years, may be counted toward fulfillment of the required probationary period for tenure. A written agreement, mutually satisfactory to the candidate and the department, college, and University, to include or to exclude previous years of full-time service for time credited toward the probationary period, must be made at the time of initial appointment to a tenure-track position. This appointment is subject to the provision that when, after a term of probationary service of more than three years in one or more institutions of higher education, it may be agreed in writing that his/her appointment at Stephen F. Austin State University is for a probationary period of not more than four years (even though thereby the person's total probationary period in the academic profession is extended beyond the normal maximum of seven years).
 - d. Scholarly leave of absence (those related to reasons 1, 2, 3, and 4 of Policy E-29A) will count as part of the probationary period as if it were prior service at another institution unless the individual candidate and the institution agree in writing to an exception to this provision at the time the leave is granted.

- e. Periods during which a faculty member is on leave of absence for one semester or more due to health related issues (see reason 5 of Policy E-29A and the description of Family Medical Leave and Organ or Bone Marrow Donors in Policy E-29A) or national guard service (see Authorized Training for Duty, Call to National Guard Active Duty by the Governor, and Call to National Duty in Policy E-29A) shall not be counted toward fulfillment of the required probationary period unless the candidate and the institution agree in writing to an exception to this provision at the time the leave is granted.
 - f. For purposes of calculating the period of probationary service, an "academic year" shall be the approximate nine-month period from September through May. If a faculty member begins service during an academic year, the period of service from the date of appointment until beginning of the following academic year shall not be counted as academic service toward fulfillment of the maximum probationary period.
 - g. Unusual circumstances may justify adjustment of the ~~the extension of the maximum~~ probationary period. It is the responsibility of the faculty member to provide appropriate documentation to demonstrate sufficiently why the request should be granted. This documentation must be submitted to the Provost through the candidate's department chair and dean.
- B. Notice of non-reappointment, or of intention not to reappoint a faculty member, will be given in writing in accord with the following ~~standards~~ schedule:
- 1. not later than March 1 of the first year of probationary service at Stephen F. Austin State University,
 - 2. not later than December 15 of the second year of probationary service at Stephen F. Austin State University,
 - 3. or during a subsequent academic year of a probationary appointment, when the faculty member will be notified that a terminal contract is expected to be offered for the next academic year. Such notice must provide for an academic year (nine month) terminal contract.
~~at least twelve months before the expiration of a probationary appointment after two or more years of probationary service at Stephen F. Austin State University.~~
- C. A probationary faculty member's tenure status and years of credit for probationary service will be specified in the initial appointment letter, along with any conditions other than those relating to performance evaluation and an assessment

of the department's programmatic needs which will affect consideration for reappointment or tenure. Notice of reappointment will be in writing and will specify the probationary faculty member's tenure status, years of credit for probationary service, any special conditions, and a current assessment of the programmatic needs of the department.

III. Pre-tenure Reviews

- A. Each academic unit at the department level shall formally review the progress of each of its faculty toward the award of tenure at least twice during a faculty member's probationary period. While annual reviews are encouraged, at a minimum pre-tenure reviews must be conducted according to the following schedule.
1. Faculty fulfilling a six-year probationary period (faculty hired with no time toward tenure) must be reviewed in the fall semesters of the third and fifth years of probationary service.
 2. Faculty fulfilling a five-year probationary period (faculty granted one year of credit toward tenure) must be reviewed in the fall semesters of the second and fourth years of probationary service.
 3. Faculty fulfilling a four-year probationary period (faculty granted two years of credit toward tenure) must be completed in the fall semester of the second year of probationary service.
 4. Faculty fulfilling a three-year probationary period (faculty granted three years of credit toward tenure) must be completed in the fall semester of the second year of probationary service.
- B. These reviews ~~are to~~ allow the chair, the tenured faculty, and the dean to provide clear indications of the faculty member's progress toward tenure and ~~to~~ make recommendations concerning the continuation of the probationary faculty member.
- C. The academic unit at the department level is responsible for defining a process, subject to approval by the dean and by the Provost, for performing these reviews. The process must allow for:
1. review of the probationary faculty member's performance by tenured departmental faculty;
 2. review by the department chair;
 3. review by the dean;

4. review by the Provost;
 5. feedback in writing to the faculty member under review from each review level that highlights strengths and weaknesses (with recommendations for addressing weaknesses);
 6. establishment of a professional development plan if necessary; and
 7. opportunity for the faculty member to respond in writing at each level of review.
- D. Departments are encouraged to develop mentoring systems to assist probationary faculty in their professional development.

IV. III. Tenure Awards

- A. During the ~~spring semester of the fifth year of probationary service (see II.A.1.b. of this policy)~~ the chair of the department will meet with the candidate and discuss the application process and openly examine administrative and faculty concerns related to the process. Additionally, the chair will discuss the requirements for preparation of the dossier which is due the following fall semester.
1. A faculty member may apply for tenure or be nominated by a tenured faculty member, the department chair, or other appropriate administrative officer of the University. ~~A faculty member may be nominated or apply for tenure. A nomination may be initiated by an individual faculty member, the department chair, or other appropriate administrative officer of the University.~~
 2. The candidate, in consultation with the department chair, shall develop a dossier consisting of supporting materials, including a current vita, annual reports, pre-tenure reviews, all administrative evaluations and other written evaluations that may be required by the department. An inventory of all contents must be attached to the dossier. ~~The candidate is responsible for developing and submitting to the department chair a packet of supporting materials, including a current vita.~~
 3. The dossier must address the criteria for tenure established by departmental tenured faculty. Such criteria must include details of departmental expectations in each of the following areas:
 - a. Evidence of teaching effectiveness.

- b. Research and/or creative accomplishments.
- c. Service.
- d. ~~Professional conduct as defined by the department.~~

4. A faculty member who occupies an administrative position will submit his/her ~~packet of supporting materials~~ dossier to his/her immediate administrative supervisor. The administrative supervisor alone will receive all the recommendations of the ~~tenured departmental~~ department tenure committee ~~or and tenured divisional faculty~~ the college tenure committee. In other respects the review process for faculty in administrative positions will be consistent with the faculty review process described below.

5. (Faculty members with concurrent appointments in two departments and/or two colleges will be evaluated by both departments and/or colleges.)

B. A faculty member shall be advised of the recommendation for or against tenure at each level of review.

C. Each dossier will be evaluated by all tenured faculty from the candidate's department with regard to the candidate's credentials, performance as a faculty member, and the programmatic needs of the department.

~~Each "Promotion/Tenure Application," including all supporting materials, will be evaluated by all tenured faculty from the applicant/nominee's department with regard to the candidate's credentials, performance as a faculty member, and the programmatic needs of the department. Each tenured faculty member will submit a written recommendation to the department chair that the candidate be granted or not granted tenure, with supporting comments. (If there are no tenured members in the candidate's department, this step will be omitted.~~

- 1. The chair will make the dossier available for review by the tenured faculty in the department.
- 2. After the tenured faculty have reviewed the dossier, the chair of the department will schedule a meeting of the department tenure committee, which will consist of all tenured faculty from the candidate's department. The department tenure committee will meet and elect a member of the group to chair the committee; and carefully consider the candidate's application in reference to department, college, and university criteria for awarding tenure. The committee's considerations must be limited to the criteria for awarding tenure.

3. Administrators at the level of department chair or above are not eligible to serve on the department tenure committee. Administrators who are not involved in the tenure recommendation process at another level are eligible to serve on tenure committees.
4. In departments with two or fewer tenured faculty, the chair of the department and each candidate shall submit separately to the dean of the college a list of three names of tenured faculty members from other departments in the college. The dean shall appoint members from these lists until there are at least three members of the departmental tenure committee.
5. Following this discussion, each tenured faculty member shall submit a written recommendation and supporting comments to the chair of the committee clearly indicating that the candidate be granted or not granted tenure.
6. The chair of the department tenure committee will collect and transfer to the chair of the department the recommendations and supporting comments of the committee members. The chair of the department tenure committee will also report in writing to the department chair the recommendation of the committee along with supporting comments in summary form. The written recommendation must be endorsed by members of the committee. Dissenting comments may be attached.

D. The chair of the candidate's department will evaluate the dossier submitted by the candidate, recommendations from the department committee, and other evidence deemed pertinent; the chair will notify the candidate as indicated below. The chair of the candidate's department will evaluate the packet of materials submitted by the candidate and will forward these materials, along with his/her recommendation with supporting comments and the recommendations of the tenured faculty of the department, to the dean of the college.

1. Within six (6) class days of completion of the evaluation by the tenured faculty from the candidate's department and the chair of the candidate's department, each candidate will be notified in writing by the chair of the department of the status of his/her application for tenure and the recommendation from the tenured faculty and chair.
2. Within six (6) class days of being allowed to review the written recommendations and supporting comments the candidate may attach a letter of response addressing factual errors. Such a letter and any subsequent response that will become part of the dossier.

3. *The chair's recommendation and supporting comments will be submitted to the College Committee, along with the dossier, the recommendations generated at each preceding stage of the evaluation and the candidate's response(s) if any.*

E. *Each dossier, including all supporting materials, recommendations, and candidate responses (if any), will be evaluated by the college tenure committee with regard to the candidate's credentials and performance as a faculty member.*
~~Each application/nomination for tenure, including all supporting materials, will be evaluated by a college tenure panel with regard to the candidate's credentials and performance as a faculty member. The dean of the college will constitute the review panel. The panel will consist of one tenured member from each department in the college. The panel member from the department should not be the department chairman unless there are no other tenured faculty in the department. Each panel member will review the supporting materials prepared by the candidate and will submit a recommendation to the dean of the college that the candidate be granted or not granted tenure, with supporting comments.~~

1. *This committee will consist of one elected representative of each department in the college and may include an external representative in accordance with college policy.*
2. *Members shall be elected from and by the tenured faculty of each department/school in the college in an election conducted by the chair of each department.*
3. *Administrators who are not involved in the tenure recommendation process at another level are eligible to serve on tenure committees.*
4. *Each committee member will review the dossier.*
5. *After the committee members have reviewed the dossier, the dean will schedule a meeting of the committee.*
6. *The college tenure committee will meet and elect a member to chair the committee; and carefully discuss and consider the dossier. The committee's discussion must be limited to the department, college and university criteria for awarding tenure.*
7. *Following this discussion, each committee member will submit a written recommendation and supporting comments to the chair of the college tenure committee clearly indicating that the candidate be granted or not granted tenure.*

8. The chair of the college tenure committee will collect and transfer to the dean the recommendations and supporting comments of the committee members. The chair of the college tenure committee will also report in writing to the dean the recommendation of the committee along with supporting comments in summary form. The written recommendation must be endorsed by members of the committee. Dissenting comments may be attached.

F. The dean of the college will evaluate the dossier submitted by the candidate, recommendations from the department committee, and any other evidence deemed pertinent; the dean will notify the candidate as indicated below. The dean of the college will evaluate the packet of materials submitted by the candidate and will review the recommendation of the department chair, the recommendations of the tenured faculty of the candidate's department, the recommendations of the college tenure panel, and any other evidence deemed pertinent as a basis for his/her recommendation to the Vice President for Academic Affairs. The dean's recommendation that the candidate be granted or not granted tenure and supporting comments will be submitted to the Vice President for Academic Affairs, along with the packet of materials prepared by the candidate and the recommendations generated at each preceding stage of the evaluation.

1. Within six (6) class days of completion of the evaluation by the college tenure committee and the dean each candidate will be notified in writing by the dean of the status of his/her application for tenure and the recommendation from the tenure committee panel and dean.

2. Within six (6) class days of being allowed to review the written recommendations and supporting comments the candidate may attach a letter of response addressing factual errors. Such a letter and any subsequent response will become part of the dossier.

3. The dean's recommendation and supporting comments will be submitted to the Provost and Vice President for Academic Affairs, along with the dossier, the recommendations generated at each preceding stage of the evaluation and the candidate's response(s) (if any).

G. The Provost Vice President for Academic Affairs will review these materials and recommendations and any other evidence deemed pertinent as a basis for his/her recommendation to the President of the University that the candidate be granted or not granted tenure. The Provost Vice President for Academic Affairs will submit to the President of the University his/her recommendation, along with all supporting materials and the recommendations generated at each preceding stage of the evaluation.

- H. The President of the University will review these materials and recommendations and any other evidence deemed pertinent as a basis for his/her recommendation to the Board of Regents that the candidate be awarded tenure.
- I. *Within six (6) class days of completion of the evaluation by the Provost and the President and before action by the Board of Regents each candidate will be notified in writing by the Provost of the status of his/her application for tenure and the recommendation from the Provost and President.*
- J. Tenure is awarded by action of the Board of Regents of Stephen F. Austin State University.
- K. *Within the next class day following the action of the Board of Regents each candidate will be notified in writing by the Provost of the action of the Board.*

V. IV. Procedural Guarantees Relating to Termination and Non-Renewal of Contracts

- A. Tenured Faculty and Probationary Faculty with an Unexpired Appointment Extending Beyond the Date of Proposed Dismissal⁴
1. Good cause for the dismissal of a faculty member with tenure or a probationary faculty member whose specified term of employment has not expired includes, but is not limited to, the following: moral turpitude; conviction by a trial court of any felony; professional incompetence; substantial neglect of professional responsibilities; bona fide financial exigency or phasing out of programs requiring faculty reduction; and physical or mental disability of a continuing nature rendering the faculty member unable to perform his/her professional responsibilities.
 2. The burden of proof that good cause exists for dismissal rests with the University. The burden of proof shall be by preponderance of the evidence.
 3. Dismissal of a faculty member with tenure or a probationary faculty member whose specified term of employment has not expired will be preceded by:
 - a. discussion between the faculty member and appropriate administrative officers of the University, and
 - b. if the conferences fail to achieve a mutual settlement, a written statement of specific charges will be prepared by the President or the President's delegate.

4. If an official statement of charges against a faculty member is issued, the faculty member will have the right to a hearing by a Hearing Committee of the University Grievance Panel. Service of notice of hearing with specific charges in writing will be made at least twenty days prior to the hearing. Hearings must be completed by the end of the semester in which the faculty member has been served with the notice of hearing and specific charges or by the end of the fall semester if notice is served during the summer.
 - a. The University Grievance Panel will be an Ad hoc panel composed of twenty three elected and tenured faculty members, three from each academic college and two from the library. Election will be by the tenure/tenure- track faculty members of a college. Elections will be structured so that all tenured faculty members are eligible to become candidates and so that those faculty members who are elected will receive the votes of at least a majority of the faculty members participating in their election.
 - b. The Hearing Committee to hear a grievance will be composed of seven members selected as follows from the University Grievance Panel: three selected by the aggrieved faculty member, three by the president's delegate, and one by lot. Each party will have a maximum of two challenges without stated cause.
 - c. Once constituted, the Hearing Committee will organize itself to carry out its responsibilities and establish its procedures.
5. At the faculty member's option, the hearing may be open or closed.
6. The Hearing Committee will not be bound by strict rules of legal evidence and may admit any evidence which is of probative value in determining the issues involved.
7. The Hearing Committee's finding of fact and decision will be based solely upon the hearing record.
8. The Hearing Committee's decision and the basis for it will be communicated in writing to the faculty member and the President. It will be accompanied by a verbatim typewritten record and audiotape of the hearing.
9. If the Hearing Committee concludes that good cause for dismissal has not been established by the evidence in the record and the President rejects the Committee's conclusion, he will state his reason(s) for doing so in

writing to the Committee and the faculty member. The President will provide a reasonable time for response before transmitting the case to the Board of Regents.

10. When it is the President's final judgment to recommend dismissal, he will transmit to the Board of Regents a verbatim typewritten copy of the record of the hearing, the report of the Hearing Committee, and his recommendation regarding dismissal. If the recommendation of the President for termination conflicts with the recommendation of the Hearing Committee, the Board of Regents will review the case based on the record of the hearing with opportunity for argument by the principals or their representatives. If the recommendations of the President and the Hearing Committee are in accord, the Board of Regents may choose to limit its review to a review of the record of the hearing. Following the Board's decision, the chairman will communicate the decision in writing through the president of the University to the chairman of the Hearing Committee and the faculty member.
11. Pending action by the Board of Regents, the faculty member may be suspended without pay and immediately removed from the University, or assigned to other duties with pay, if he/she (1) poses a continuing danger to persons or property; (2) disrupts the orderly operation of the University; (3) endangers the education of students; (4) has been convicted by a trial court of any felony or a crime of moral turpitude. In such cases, the President shall set a hearing before the appropriate administrator or committee on the faculty member's case as soon thereafter as is practical unless otherwise waived by the faculty member.

B. Probationary Faculty Whose Contract is Not Renewed

1. A probationary faculty member who has been notified of non-reappointment according to the schedule set forth in Section II. B. may appeal non-reappointment only on presentation of a prima facie case that constitutional guarantees or academic freedom were violated. Appeals must follow the following schedule:
 - a. Appeal of non-reappointment on or before March 1 for the first year of probationary service at Stephen F. Austin State University must be filed within 30 days of non-reappointment.
 - b. Appeal of non-reappointment on or before December 15 for the second year of probationary service at Stephen F. Austin State University must be filed within 60 days of non-reappointment.

c. Appeal of non-reappointment during a subsequent academic year of a probationary appointment or of a tenure decision must be filed within 30 days after the beginning of the next immediate fall term.

2. The burden of proof of allegations of abridgement of constitutional guarantees or academic freedom is upon the probationary faculty member. The burden of proof shall be by the preponderance of the evidence.

3. A faculty member who alleges abridgement of constitutional guarantees or academic freedom will present evidence to a committee of the University Grievance Panel.

a. An Advisory Committee to hear the evidence will be composed of five members selected as follows from the University Grievance Panel: two members selected by the faculty member, two by the President or the President's delegate, and one by lot. Each party will have one challenge without stated cause.

b. Once constituted, the Advisory Committee will organize itself to carry out its responsibilities and establish its procedures.

c. Hearings must be completed by the end of the semester in which the appeal is filed or by the end of the fall semester if an appeal is filed during the summer.

4. If the Advisory Committee finds probable cause that there was an abridgement of constitutional guarantees or academic freedom, conferences between the faculty member and appropriate administrative officers of the University will be scheduled. If the conferences fail to achieve a mutual settlement, the ~~grievance procedure enumerated in Section IV. A. 4b through A. 11, will be initiated~~ faculty member's institutional due process is completed.

5. If the Advisory Committee finds no probable cause that there was an abridgement of constitutional guarantees or academic freedom, the faculty member's institutional due process is completed and a written report of the Advisory Committee's finding will be sent to the President and to the faculty member.

C. Financial Exigency

1. Termination of an appointment with tenure, or of a probationary or special appointment, before the end of the specified term may occur under

extraordinary circumstances because of bona fide financial exigency; i.e., an imminent financial crisis, which threatens the continuation of a strong academic program and which cannot be alleviated by less stringent means. The responsibility for demonstrating the existence and extent of the financial exigency will rest with the administration.

2. If the institution, because of financial exigency, terminates appointments with tenure, or probationary or special appointments before the end of the specified term, it will not at the same time make new appointments except in extraordinary circumstances where a serious distortion in the academic program would otherwise result. Employment of a faculty member with tenure will not be terminated in favor of retaining a faculty member without tenure, except in extraordinary circumstances through which a serious distortion of the academic program would otherwise result.
3. Before terminating an appointment because of financial exigency, the appropriate University administrator, with faculty participation, will make every reasonable effort to place the faculty member concerned in another position within the University for which he/she is professionally qualified.
4. In each case of termination of appointment because of financial exigency, probationary faculty members concerned will be given notice not less than as prescribed in Section II. B. Tenured faculty members will be given notice at least twelve months prior to termination of appointment.
5. In each case of termination of an appointment with tenure because of financial exigency, the place of the faculty member concerned will not be filled by a replacement within a period of two calendar years, unless the released faculty member has been offered reinstatement and at least sixty days in which to accept or decline it.
6. A faculty member who alleges abridgement of constitutional guarantees or academic freedom in such an emergency will be afforded due process in accord with Section IV V. B. 3 through B. 5.

D. Discontinuance of Program or Department Not Mandated by Financial Exigency

Termination of an appointment with tenure, or of a probationary or special appointment, before the end of the specified term may occur as a result of bonafide formal discontinuance of a program or department of instruction. The following standards and procedures will apply:

1. The decision to discontinue formally a program or department of instruction will be based essentially upon educational consideration as

determined by the University administration after consultation with the affected faculty and appropriate standing or ad hoc committees.

2. Before the administration issues notice to a faculty member of its intention to terminate an appointment because of formal discontinuance of a program or department of instruction, the institution will make every reasonable effort to place the faculty member concerned in another position within the University for which he/she is professionally qualified.
3. In each case of termination of appointment because of program discontinuance, probationary faculty members concerned will be given notice not less than as prescribed in Section II. B. Tenured faculty members will be given notice at least twelve months prior to termination of appointment.
4. A faculty member who alleges abridgement of constitutional guarantees or academic freedom will be afforded due process in accord with Section ~~IV~~ V. B. 3 through B. 5.

See also Faculty Evaluation, Merit Pay, Promotion and Tenure policy.

¹Faculty member includes professional librarians.

²Faculty who were initially appointed to non-tenure track positions at the rank of instructor or a ~~professorial rank~~ above under prior policy are included in this and all subsequent references to probationary appointment or probationary position.

³Full-time appointment means a 100% appointment in an academic department or academic administrative unit for a full academic year (September through May).

⁴The University has a uniform procedure by which charges of discrimination made by employees or students are considered.

Source of Authority: Board of Regents, President

Cross Reference: ~~Faculty Handbook~~

Contact for Revision: President

Forms: Annual Report on Teaching, Scholarly/Creative Activities and Service; Administrative Evaluation; Promotion/Tenure Application (all available from University Printing Services)

Time Clock

E-51.1N

Original Implementation: October 14, 1997

Last Revision: ~~April 30, 2001~~ July 8, 2004

Each employee is required to have a record of hours worked. In departments using time clocks, the following regulations will apply:

1. Employees are required to punch in prior to their assigned start time, and must punch out when they go off duty.
2. Employees are required to clock out any time they leave the work site for any reason other than assigned work duties.
3. Unless permission to do otherwise is authorized in writing by the employee's supervisor, no employee may clock in more than 5 minutes prior to, or 5 minutes after, the start of their shift. Employees may not clock out more than 5 minutes prior to, or 5 minutes following the end of their work time.
4. Clocking in within the time-frame specified in item three, will be calculated as an on-time report for duty.
5. Depending on the department procedures, time recorded will be the work-time paid or ~~employee~~ employees will be paid from time sheets verified by actual punched times. Any adjustments to the recorded time must be approved by the employee's supervisor. Managers will be accountable to their Department Head for any manual changes submitted.
6. Unless a Department is utilizing a system with an automatic lunch deduction, employees must clock out for their designated lunch time. All employees are free to leave the University premises during lunch.
7. Employees should not clock out for designated break times and must stay in the assigned work area during the break.
8. Employees who have worked time in excess of 40 hours per week will be paid time-and-a-half (or accrue comp-time at that rate) for all time exceeding 40 hours.
9. Except in emergency circumstances, prior permission to work overtime should be approved in writing by the department manager.

Violations of this policy may result in disciplinary actions; including oral or written warnings, suspension without pay and/or termination. **Under no circumstance** may one employee punch a time card for another. Any employee participating in this type of violation will face immediate termination.

For employees in Departments using scan-card time clocks: Lost cards must be reported to your supervisor immediately. When cards are lost or misplaced, employees will be issued one replacement card at no cost. Additional replacement cards will cost \$5.00 each.

Source of Authority: Director of Human Resources

Cross Reference: None

Contact For Revision: Director of Human Resources

Forms: None

Vendor Protests

F-35

Original Implementation: July 14, 1998

Last Revision: ~~October 23, 2001~~ July 8, 2004

Any actual or prospective bidder, offeror, or contractor who is aggrieved in connection with the solicitation, evaluation, or award of a contract may formally protest to the Director of Purchasing of Stephen F. Austin State University. Such protests must be in writing and received in the purchasing director's office within 10 working days after such aggrieved person knows, or should have known, of the occurrence of the action which is protested. Formal protests must conform to the requirements of this policy, and shall be resolved in accordance with the procedure set forth herein. Copies of the protest must be mailed or delivered by the protesting party to any other interested parties. For the purposes of this policy, "interested parties" means all vendors who have submitted bids or proposals for the contract involved.

In the event of a timely protest or appeal under this section, the state shall not proceed further with the solicitation or with the award of the contract unless the purchasing director, after consultation with the end user, makes a written determination that the award of contract without delay is necessary to protect substantial interests of the state.

A formal protest must be sworn and contain:

- (1) a specific identification of the statutory or regulatory provision(s) that the action complained of is alleged to have violated;
- (2) a specific description of each act alleged to have violated the statutory or regulatory provision(s) identified above;
- (3) a precise statement of the relevant facts;
- (4) an identification of the issue or issues to be resolved;
- (5) argument and authorities in support of the protest; and
- (6) a statement that copies of the protest have been mailed or delivered to the using agency and other identifiable interested parties.

The purchasing director shall have the authority, prior to appeal to the Vice President for Business Affairs, to settle and resolve the dispute concerning the solicitation or award of a contract. The director may solicit written responses to the protest from other interested parties.

If the protest is not resolved by mutual agreement, the purchasing director will issue a written determination on the protest.

- (1) If the purchasing director determines that no violation of rules or statutes has occurred, he shall so inform the protesting party, the end user, and other interested parties by letter which sets forth the reasons for the determination.
- (2) If the purchasing director determines that a violation of the rules or statutes has occurred in a case where a contract has not been awarded, he shall so inform the protesting party, the end user, and other interested parties by letter which sets forth the reasons for the determination and the appropriate remedial action.
- (3) If the purchasing director determines that a violation of the rules or statutes has occurred in a case where a contract has been awarded, he shall so inform the protesting party, the end user, and other interested parties by letter which sets forth the reasons for the determination, which may include ordering the contract void.

The purchasing director's determination on a protest may be appealed by an interested party to the Vice President for Business Affairs. An appeal of the director's determination must be in writing and must be received in the vice president's office no later than 10 working days after the date of the director's determination. The appeal shall be limited to review of the purchasing director's determination. Copies of the appeal must be mailed or delivered by the appealing party to any other interested parties and must contain an affidavit that such copies have been provided.

The general counsel shall review the protest, purchasing director's determination and the appeal and prepare a written opinion with recommendation to the Vice President for Business Affairs. The vice president may, in his discretion, refer the matter to the President for his consideration or issue a written decision on the protest.

When a protest has been appealed to the Vice President for Business Affairs and has been referred to the President by the Vice President, the following requirements shall apply.

- (1) Copies of the appeal responses of interested parties, if any, and general counsel recommendation shall be mailed to the President, and copies of the general counsel's recommendation shall be mailed to the Director of Purchasing, the appealing party, and other interested parties.
- (2) All interested parties who wish to make an oral presentation at an open meeting with the President are requested to notify the general counsel at least 48 hours in advance of the open meeting.
- (3) The President may consider oral presentations and written documents presented by SFA staff and interested parties. The President shall set the order and amount of time allowed for presentations.
- (4) The President's determination of the appeal shall be final.

Unless good cause for delay is shown or the President determines that a protest or appeal raises issues significant to procurement practices or procedures, a protest or appeal that is not filed timely will not be considered.

A decision issued in writing either by the President or in writing by the Vice President for Business Affairs, shall be the final administrative action of Stephen F. Austin State University.

Source of Authority: President; Vice President for Business Affairs

Cross Reference: None

Contact for Revision: Director of Purchasing and Inventory

Forms: None