Stephen F. Austin State University

MINUTES OF THE BOARD OF REGENTS

Nacogdoches, Texas

October 20, 2005
Volume 216
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Appendix 3 – Board of Regents Rules and Regulations
The Meeting of the Board of Regents was called to order at 9:00 a.m., Thursday, October 20, 2005 by Chair Fred Wulf. No Executive Session was held.

PRESENT:

Board Members: Mr. Richard Boyer 
Dr. Margarita de la Garza Grahm 
Ms. Valerie Ertz 
Mr. Joe Max Green 
Mr. Kenneth James 
Mr. Paul Pond 
Mr. James Thompson 
Mr. Melvin White 
Mr. Fred Wulf

President: Dr. Tito Guerrero

Vice-Presidents: Dr. Mary Cullinan 
Dr. Jerry Holbert 
Dr. Baker Pattillo 
Dr. Marlin Young

General Counsel: Ms. Yvette Clark

Other SFA administrators, staff, and visitors also were present in Room 307.

President Guerrero introduced Judge Michael H. Schneider, U.S. District Judge for the Eastern District of Texas and SFA alumnus, as well as other judicial guests, District Judge Ed Klein, District Judge Campbell Cox, and County Attorney Jeff Davis. Chair Fred Wulf introduced the three newly-appointed board members, Richard Boyer, James Thompson, and Melvin White. Judge Schneider administered the oath of office to the three new regents.

President Guerrero presented a certificate of appreciation from the American Association of State College and Universities to Dr. Carrie Brown, Director of Research and Sponsored Programs, for her participation in a Graduation Rate Outcomes Study Project.

President Guerrero recognized Monique Cossich, Executive Director of Enrollment Management, for her efforts resulting in the recent increase in university enrollment.

President Guerrero introduced Provost and Vice President Cullinan, who introduced Dr. John Jacobson, Dean of the College of Education. Dr. Jacobson presented several faculty members in the College of Education who together have written and received grants for a
total of nearly $15,000,000: Melanie Jephsoa, Alan Sowards, Lynda Martin, Bill Bryan, Bill Weber, Bob Bryant, Dixie Mercer, Glen McCuller, Robert Choate, Scott Whitney, Betty Alford.

Dr. Jacobson also presented a framed painting to Dr. Alan Sowards, Ms. Elyce Rodewald, and Dr. Cheryl Boyette, representing a state award from the Texas Forest Service for their annual Bugs, Butterflies, and Blossums Children’s Festival.

Dr. Cullinan introduced Dr. Anthony Duben, Dean of College of Sciences and Mathematics, who recognized the members of the SFA chapter of American Association of Petroleum Geologists, who have won the national Outstanding Chapter Award in 2005, for the third time in ten years. Representing the chapter were Dr. LaRell Nielson, Professor of Geology, Justin Burt, AAPG Chapter President, Chris Reeves, Chapter Vice President, Manetta Dillingham, Chapter Secretary, and Marcy Stonescipher, Chapter Representative.

Dr. Baker Pattillo gave a report of the response of the university to the recent Hurricane Rita disaster. The university opened a shelter in the William Johnson Coliseum, which provided safe haven to over 1000 people during the evacuation. Dr. Guerrero presented certificates to staff and students who participated in the university’s effort. Student recipients were Amanda Cathey, Ashley Rhodes, Gaby Rodriguez, Joe Walker, Jose Piones, Kendall Townsend, Lacy Claver, Randi Cooper, Ryan Horne, and Tim Lofing. Staff members receiving a certificate were Steve Westbrook, Michael Preston, Charlie Hueber, Jeff Huskey, John Rulfs, John Branch, Jeremy Stolfa, Trey Younger, Marc Cossich, Chris Rivers, Jack Nelson, Ron Watson, Lee Britain, and Brad Patterson.

**APPROVAL OF MINUTES**

06-02
Upon motion by Regent Pond, seconded by Regent de la Garza-Grahm, all members voting aye, it was ordered that:

The minutes of the July 13 and 14, 2005 meetings be approved.

**PERSONNEL**

06-03
Upon motion by Regent Thompson, seconded by Regent Ertz, all members voting aye, it was ordered that the following personnel items be approved:

A. **FACULTY APPOINTMENTS FOR 2005 – 2006**

1. Business
   
   Dr. Minho Park, Visiting Assistant Professor of Computer Science, Ph.D. (University of Florida), at a salary of $74,000 for 100 percent time for nine months, effective August 23, 2005.
Mr. Jason Powell, Lecturer of Computer Science, M.S. (Stephen F. Austin State University), at a salary of $35,000 for 100 percent time for nine months, effective August 23, 2005.

Ms. Kelly Noe, Lecturer of Accounting, M.S. (Stephen F. Austin State University), at a salary of $32,000 for 100 percent time for nine months, effective August 23, 2005.

2. Education

Dr. Neill Armstrong, Assistant Professor of Secondary Education, Ph.D. (Oklahoma State University), at a salary $47,000 for 100 percent time for nine months, effective August 23, 2005.

Dr. Kenneth Austin, Assistant Professor of Secondary Education and Educational Leadership, Ph.D. (University of Texas at Austin), at a salary of $46,000 for 100 percent time for nine months, effective August 23, 2005.

Dr. Kris Bills, Lecturer of Elementary Education, Ph.D. (Kent State University), at a salary of $45,000 for 100 percent time for nine months, effective August 23, 2005.

Mr. John Donihoo, Instructor of Elementary Education, M.A. (Stephen F. Austin State University), at a salary of $41,000 for 100 percent time for nine months, effective August 23, 2005, contingent upon completion of terminal degree by May 2011.

Mr. Jarod Lambert, Visiting Assistant Professor of Secondary Education M.Ed. (University of Houston), at a salary of $44,000 for 100 percent time for nine months, effective August 23, 2005.

3. Fine Arts

Dr. Christina Guenther, Visiting Assistant Professor of Music, Ph.D. (Florida State University), at a salary of $38,000 for 100 percent time for nine months, effective August 23, 2005.

Mr. Jeff Schultz, Instructor of Music, M.A. (Northwestern University), at a salary of $36,000 for 100 percent time for nine months, effective August 23, 2005.

4. Forestry

Mr. Daniel Scognamillo, Assistant Professor of Wildlife Management (GIS), M.A. (University of Florida), at a salary of $14,000 for 100 percent time for two
months, effective June 1, 2006, and $42,000 for 100% time for nine months, effective September 1, 2006, contingent upon completion of Ph.D. by April 2006.

5. Liberal Arts

**Dr. D. Matthew Ramsey**, Assistant Professor of English, Ph.D. (Ohio State University), at a salary of $3,000 for 50 percent time effective July 7, 2005, for Summer II session and $38,000 for 100 percent time for nine months, effective August 23, 2005.

6. Science and Mathematics

**Ms. Hilary Dosser**, Lecturer of Mathematics and Statistics, M.S. (Stephen F. Austin State University), at a salary of $31,000 for 100 percent time for nine months, effective August 23, 2005.

**Mr. David McCann**, Clinical Instructor of Nursing, M.A. (University of Phoenix), at a salary of $54,000 for 100 percent time for nine months, effective August 23, 2005.

**Dr. Rose Powell**, Assistant Professor of Nursing, Ph.D. (George Mason University), at a salary of $58,000 for 100 percent time for nine months, effective August 23, 2005.

**Ms. Amanda Whisenant**, Lecturer of Mathematics and Statistics, M.S. (Tarleton State University), at a salary of $32,000 for 100 percent time for nine months, effective August 23, 2005.

B. STAFF APPOINTMENTS FOR 2005 – 2006

1. Athletics

**Ms. Jenifer Wells**, Head Softball Coach, at a salary of $42,700 for 100 percent time for 10.5 months, effective July 18, 2005.

**Mr. Fred Gillum**, Assistant Softball Coach, at a salary of $25,200 for 100 percent time for 10.5 months, effective August 1, 2005.

**Mr. Brian Yale**, Assistant Volleyball Coach and Instructor, at a salary of $38,769 for 100 percent time for 10.5 months, effective August 1, 2005.

**Mr. Johnny Cardenas**, Assistant Baseball Coach, at a salary of $35,000 for 100 percent time for 10.5 months, effective September 1, 2005.
Mr. Christopher Connally, Assistant Baseball Coach, at a salary of $30,000 for 100 percent time for 10.5 months, effective September 1, 2005.

Mr. Brian Ross, Assistant Sports Information Director, at a salary of $33,159 for 100 percent time for 12 months, effective September 1, 2005.

2. Controller

Ms. Tamela D. Kimbro, Accountant II at a salary of $35,000 for 100 percent time effective August 8, 2005 for 12 months.

Ms. Anne Uhryek, Bursar at a salary of $48,000 for 100 percent time effective May 31, 2005 for 12 months.

3. Counseling and Career Services

Ms. Nicole Preston, Counselor, at a salary of $36,383 for 100 percent time for 12 months, effective July 18, 2005.

4. Health Services

Ms. Merry Shelton, Registered Nurse, at a salary of $29,456 for 100 percent time for 9 months, effective September 1, 2005.

Ms. Janice Haile, Registered Nurse, at a salary of $34,365 for 100 percent time for 10.5 months, effective August 25, 2005.

5. Forestry

Mr. Cody Betts, Beef Farm Supervisor, at a salary of $35,329 for 100 percent time for twelve months, effective July 1, 2005.

6. Instructional Technology

Mr. Brian Tarpley, Instructional Systems Administrator at a salary of $33,667.56 for 100 percent time effective June 14, 2005 for 12 months.

7. Library

Mr. Reginald Gossett, Assistant Manager Library Systems, at a salary of $41,000 for 100 percent time for twelve months, effective September 12, 2005.
C. **CHANGE OF STATUS FOR 2005 - 2006**

1. **Academic Affairs**

   **Dr. Marlin Young**, from Associate Provost/Vice President for Academic Affairs, at a budgeted salary of $126,800 for 100 percent time for twelve months to Interim Vice President for Business Affairs, with an additional stipend of $750 per month for the “interim” duties, with effect from August 22, 2005.

2. **Athletics**

   **Mr. William Bobo**, from Lecturer in Kinesiology at a salary of $38,160 for 100 percent time for 9 months to Athletic Trainer at a salary of $30,000 for 100 percent time for 10.5 months, effective September 1, 2005.

   **Ms. Jennifer Wiggins**, from Student Intern Manager in Agriculture at a salary of $23,940 for 100 percent time for 12 months to Assistant Equestrian Coach at a salary of $25,000 for 100 percent time for 10.5 months, effective September 1, 2005.

   **Ms. Amanda Went**, from Intern Coach in Women’s Basketball at a salary of $5.15 per hour for 100 percent time for 9 months to Assistant Women’s Basketball Coach and Instructor of Kinesiology at a salary of $43,000 for 10.5 months, effective August 2, 2005.

   **Mr. James Dixon**, from Assistant Director of Sports Information at a salary of $33,159 for 100 percent time for 12 months to Director of Sports Information at a salary of $39,461 for 100 percent time for 12 months, effective September 1, 2005.

   **Mr. Robert Meyers**, from Director of Sports Information at a salary of $39,461 for 100 percent time for 12 months to Assistant Director of Athletics for Business at a salary of $50,000 for 100 percent time for 12 months, effective September 1, 2005.

   **Mr. John Branch**, from Assistant Director of Athletics at a salary of $46,350 for 100 percent time for 12 months to Assistant Director of Athletics at a salary of $50,000 for 100 percent time for 12 months, effective September 1, 2005.

   **Mr. Matthew Fenley**, from Assistant Director of Athletics for Compliance and Student Services at a salary of $63,877 for 100 percent time for 12 months to Associate Director of Athletics for Compliance and Student Services at a salary of $68,877 for 100 percent time for 12 months, effective September 1, 2005.
3. Financial Aid

Ms. Rebecca B. Shepherd from Scholarship Coordinator at a salary of $36,715 for 100 percent time for 12 months to Scholarship Coordinator at a salary of $36,800 for 100 percent time for 12 months, effective September 1, 2005.

4. Forestry

Mr. Tred Riggs, from GIS System Administrator, at a salary of $46,125 for 100 percent time for twelve months, to Geospatial Application Specialist II, at a salary of $50,000 for 100 percent time for twelve months, effective July 16, 2005.

Mr. David Barfield, from Project GIS Specialist, at a salary of $25,000 for 100 percent time for twelve months, to Geospatial Trainer I, at a salary of $30,000 for 100 percent time for twelve months, effective July 16, 2005.

5. Health Services

Dr. John H. Miller, from Physician at a salary of $85,543 for 100 percent time for 10.5 months to Director of Health Services at a salary of $94,689 for 100 percent time for 10.5 months, effective September 1, 2005.

6. Human Resources

Ms. Glenda F. Herrington, from Human Resource Director at a salary of $67,300 for 100 percent time for 12 months to Human Resource Director at a salary of $67,700 for 100 percent time for 12 months, effective September 1, 2005.

7. Institutional Research

Ms. Sandra J. Turner, from Manager of Instructional Technology Systems at a salary of $58,203 for 100 percent time for 12 months to Associate Director of Institutional Research at a salary of $58,203 for 12 months, effective September 19, 2005.

8. Intramurals

Mr. Bryan Bradbury, from Graduate Assistant at a salary of $2,627.33 for 50 percent time for 2.5 months to Intramural Supervisor at a salary of $24,355 for 100 percent time for 9 months, effective August 29, 2005.
9. Liberal Arts

Dr. Christine McDermott from Lecturer of English and Philosophy at a salary of $28,000 for 100 percent time for nine months to Assistant Professor of English and Philosophy at a salary of $40,000 for 100 percent time for nine months, effective August 23, 2005.

Mr. Matthew Partridge, from Lecturer at a salary of $32,500 for 100 percent time for nine months to Director AELI, at a salary of $32,500 for 100 percent time for nine months, effective September 1, 2005.

10. Science and Mathematics

Mr. Ronald Havner, from Adjunct Faculty at a salary of $6,500 per semester to Lab Coordinator, at a salary of $32,000 for 100 percent time for nine months, effective August 25, 2005.

Mr. Michael Hitchcock, from Adjunct Faculty at a salary of $6,000 per semester to Lab Coordinator, at a salary of $32,000 for 100 percent time for nine months, effective August 25, 2005.

Mr. William Godwin, from Adjunct Faculty at a salary of $1,500 per semester, to Project Director at a salary of $6,000 for 100 percent time for three months, effective June 1, 2005.

11. Telecommunications

Mr. Preston R. McMullen, from Network Support Specialist I at a salary of $32,552 for 100 percent time for 12 months, effective September 1, 2005 to Network Support Specialist I at a salary of $32,700 for 100 percent time for 12 months, effective September 1, 2005.

D. RETIREMENTS

1. Alumni

Ms. Betty L. Ford, Assistant to Associate Vice President for Alumni Affairs, effective August 31, 2005.

2. Athletics

Mr. Steve McCarty, Athletic Director, effective August 31, 2005.
3. Health Services

   Dr. Robert Eanes, Director/Physician, effective August 31, 2005.

   Ms. Barbara A. Bahs, Registered Nurse, effective August 31, 2005.

4. Liberal Arts

   Dr. Nancy Wisely, Associate Professor of Sociology, effective December 31, 2005.

5. Science & Mathematics

   Dr. Kenneth Price, Associate Professor of Mathematics & Statistics, effective August 31, 2005.

E. LEAVE OF ABSENCE 2005-2006

Sociology

   Dr. Jerry Tyler, Assistant Professor, leave of absence without pay, effective January 1, 2006, through December 31, 2006.

ACADEMIC AND STUDENT AFFAIRS

06-04

Upon motion by Regent White, seconded by Regent Boyer, with all members voting aye, it was ordered that the Fall 2005 Underenrolled Class list be approved. The list is attached as Appendix 1.
FINANCIAL AFFAIRS

06-05
Upon motion by Regent Ertz, seconded by Regent de la Garza-Graham, eight members voting aye, Regent Green abstaining, it was ordered that the following Financial Affairs items be approved:

A. ENDOWMENT INVESTMENT FUND MANAGER CHANGE

Davis Advisors was selected to replace John A. Levin & Co., Inc. as the endowment funds large capitalization value style fund manager.

B. ORACLE MAINTENANCE (AMENDED)

The Board of Regents approved an ongoing annual expenditure not to exceed $134,000 in FY06 for Oracle software maintenance. Source of funds will be O&M.

C. HOTEL CONTRACTS

Non-exclusive contracts will be established with all respondents to the solicitation, Victorian Inn & Suites, Continental Inn & Suites, Stag Leap Country Inn, Fredonia Hotel, and Appleby Sand Road Bed & Bagel for lodging and banquet needs. The contracts will be for services as needed, each with a not to exceed amount of $175,000 per year. Each contract will be for one year, with four annual renewals, subject to administrative approval. The President was authorized to sign the contracts.

D. PAYMENT OPTIONS FOR STUDENTS WITH DELAYED FINANCIAL AID

Authority was granted to the Vice President Business Affairs (or Finance and Administration) to postpone the due date for the payment of all or part of the tuition and fees for a student for a semester or summer session in which the student will receive one or more delayed financial aid awards as authorized by the legislative provision in Sec 54.0071 of the Education code, effective September 1, 2005. This authority may be modified by Texas Higher Education Coordinating Board’s subsequent rules and procedures.
E. APPROVAL OF ANNUAL AUDIT REPORT

The Board of Regents approved the Annual Audit Report for the Fiscal Year Ended August 31, 2005.

F. ADDENDUM TO AGREEMENT FOR ADVERTISING CONSULTANT SERVICES BETWEEN STEPHEN F. AUSTIN STATE UNIVERSITY AND AMS PRODUCTION GROUP

The president was authorized to sign an addendum to the agreement for advertising consultant services with AMS Production Group for services including media planning and placement of existing television spots in Houston, Dallas, and East Texas media markets, reproduction of 20,000 copies of a student recruiting DVD, and production of two new television spots to air in the 2006-2007 fiscal year for a cost not to exceed $165,000.

G. DISHWASHING MACHINE REPLACEMENTS

Approval was given to proceed with the purchase and installation of three dishwashing machines for the East College and University Center cafeterias at a total cost not to exceed $300,000.

H. APPROVAL FOR PURCHASES OVER $50,000 (ARTHUR TEMPLE COLLEGE OF FORESTRY AND AGRICULTURE)—COLUMBIA GEOSPATIAL SERVICE CENTER—TWO-YEAR LEASE OF OFFICE SPACE

Approval was given for the lease of office space for the Columbia Geospatial Service Center at Plaza Place, 106 S. Pecan Street, Nacogdoches, for two years beginning in October, 2005, at a total cost not to exceed $36,000 per year.

I. APPROVAL FOR PURCHASES OVER $50,000 (ARTHUR TEMPLE COLLEGE OF FORESTRY AND AGRICULTURE)—COLUMBIA GEOSPATIAL SERVICE CENTER—RENOVATIONS OF OFFICE SPACE

Approval was given for renovations to the leased office space for the Columbia Geospatial Service Center at a total cost not to exceed $75,000.
J. **APPROVAL FOR PURCHASES OVER $50,000 (ARTHUR TEMPLE COLLEGE OF FORESTRY AND AGRICULTURE)—COLUMBIA GEOSPATIAL SERVICE CENTER—FURNISHINGS FOR OFFICE SPACE**

Approval was given for the purchase of furnishings for the Columbia Geospatial Service Center at a total cost not to exceed $60,000.

K. **APPROVAL FOR PURCHASES OVER $50,000 (DIVISION OF BIOTECHNOLOGY, COLLEGE OF SCIENCES AND MATHEMATICS)—PURCHASE OF A TYphoon TRIO PLUS IMAGER AS AWARDED BY THE NATIONAL SCIENCE FOUNDATION**

Approval was given for the purchase of a Typhoon Trio-Plus Imager at a total cost not to exceed $151,565 and consistent with the National Science Foundation guidelines.

L. **RESEARCH DEVELOPMENT FUND**

The Board of Regents approved the $271,591 allocated to SFA through the Research Development Fund and this amount was added to the FY 2005-06 budget for distribution, through a rigorous, competitive process coordinated by the Office of Research and Sponsored Programs, to research projects that will increase the university’s research and/or increase the university’s competitiveness in acquiring external funds for research.

*The following note was added to the Financial Affairs item in Board Order 06-05 by the Board of Regents at their January 19, 2006 board meeting:*

**Research Development Fund (Clarification)**

The original board item incorrectly noted that the Research Development Fund involved an additional appropriation beyond that which was originally appropriated by the Legislature and augmented the budget to add $271,591 to the University’s total budget. These funds were included in the original Legislative appropriation and the University’s budget should not have been increased. These funds will still be expended as noted, but are not an addition to the budget.

M. **EXPENDED FUNDS FROM RURAL NURSING INITIATIVE**

The purchase of biology equipment to equip a new anatomy and physiology laboratory was approved, as a part of the special item appropriation for the Rural Nursing Initiative, at a cost not to exceed $65,000.
BUILDINGS AND GROUNDS

06-06
Upon motion by Regent Green, seconded by Regent Pond, all members voting aye, it was ordered that the following Buildings and Grounds Items be approved:

A. BASEBALL/SOFTBALL COMPLEX—APPROVAL OF SITE
   The Baseball/Softball Complex will be located at the corner of University Drive and Starr Avenue on property owned by the university, subject to final approval by the Corps of Engineers.

B. REQUEST FOR PROPOSAL—BASEBALL/SOFTBALL COMPLEX-ARCHITECT
   The university was authorized to issue a Request for Proposal for a project Architect. Proposals will be reviewed by staff and a recommendation will be made to the Building and Grounds Committee when complete.

C. REQUEST FOR PROPOSAL—BASEBALL/SOFTBALL COMPLEX
CONSTRUCTION MANAGER AT RISK
   The university was authorized to issue a Request for Proposal for a project Construction Manager. Proposals will be reviewed by staff and a recommendation will be made to the Building and Grounds Committee when complete.

D. HOUSE SALE
   The university was authorized to sell the house and 2 acres of land located at 1256 FM 2664 at the list price of $150,000.

E. BOILER REPLACEMENTS
   The university was authorized to replace two boilers in PPII, and the President was authorized to sign the necessary contracts and purchase orders. The Physical Plant will serve as general contractor. The estimated cost is $350,000, and the source of funds will be the Series 2002 Tuition Revenue Bonds Proceeds Account.
F. OUTSIDE CABLE PLANT UPGRADE

The Board of Regents approved the funding of the project to pull new telephone/data cable with sufficient capacity to provide service for the renovated Student Center, the new Lumberjack Village, the new Student Recreation Center, and other anticipated construction on the south end of campus for a sum not to exceed $85,000, source of funding O&M.

G. CHEMISTRY BUILDING IMPROVEMENTS

The university was authorized to proceed with the renovations required by the State Fire Marshall in the Chemistry Building with the physical plant acting as general contractor and the President was authorized to approve the required contracts and purchase orders. Work not to exceed $150,000, source of funds HEAF.

H. SELECTION OF ELECTRICITY PROVIDER

The university was authorized to begin the selection process for selection of an electricity provider for September 1, 2006. Recommendations for a provider will be brought to the Board for final approval.

UNIVERSITY POLICIES AND PROCEDURES

06-07

Upon motion by Regent Ertz, seconded by Regent Green, all members voting aye, it was ordered that the following university policy and procedure items be approved:

A. APPOINTMENT OF PUBLIC INFORMATION COORDINATOR FOR THE BOARD OF REGENTS

The Board of Regents designated either Yvette Clark or Lynda Langham as their Public Information Coordinator.

B. POLICY REVISIONS

The Board of Regents adopted the policy revisions as presented in Appendix 2.

C. BOARD RULES AND REGULATIONS

The Board of Regents adopted the updated rules and regulations as presented to the board in their notebooks and as attached in Appendix 3.
REPORTS

A. FACULTY SENATE

Chair-Elect Chris Barker presented a report on the following topics:
- Office space transfer
- Increased enrollment/faculty salaries/salary compression
- Survey of faculty regarding joining a system
- Acknowledging improved communication and campus involvement by administration

B. STUDENT GOVERNMENT ASSOCIATION

SGA President Amber Lara introduced the Vice President and Speaker of the Senate. She gave a report on the general student scholarship awarded by the SGA, the selection process for the student regent, and spoke about the student volunteers for Hurricane Katrina.

C. COLLEGE OF SCIENCES AND MATHEMATICS REPORT

Dean Anthony Duben gave a report on the Coccidiosis research project at SFA and its potential economic value to the university.

D. BUILDING CONSTRUCTION REPORT

Mr. John Rulfs gave an update on all the current and proposed campus construction projects.

E. ENROLLMENT MANAGEMENT

Executive Director of Enrollment Management, Ms. Monique Cossich, reported on FY05 enrollment efforts and plans for FY06. Ann Oleson, a consultant with STAMATS, presented the results of a study of nonmatriculant students done by her firm in August, 2005.

F. AUDIT SERVICES REPORT

Ms. Gina Oglesbee reported on progress toward the “best practices” goals of the Governor’s Executive Order Regarding Fraud. She updated the board members on the audit plan for FY06.

G. VICE PRESIDENT FOR UNIVERSITY ADVANCEMENT

Dr. Jerry Holbert reported on the marketing efforts during the past fiscal year, as well as the fundraising results during FY05 with a total reported in gifts to the university of $8,701,594.
President Tito Guerrero gave an update on the progress of the search for the Vice President for Finance and Administration. The President will be attending the Coordinating Board Meeting on October 27, 2005, and will be giving the State-of-the-University Address at the Fourth Friday Luncheon of the Nacogdoches County Chamber of Commerce on October 28, 2005. Homecoming activities are scheduled for the weekend of October 28 through 30, 2005. On November 5, 2005, SFA will host Showcase Saturday for prospective students and their families along with the UC-Davis football game. The President reported that the Mentor Ring Big Dip ceremony will again be conducted on Friday, a week before Commencement, and is becoming a tradition for students and their parents. Fall Commencement will be held on December 17, 2005.

Upon motion by Regent Green, seconded by Regent Ertz, with all members voting aye, the meeting was adjourned at 11:20 a.m. The next regular meeting of the Board of Regents is scheduled for January 18 and 19, 2006.
### Underenrolled Classes for Fall, 2005

**Appendix 1**

**DEFINITION OF UNDER-ENROLLED UNDERGRADUATE CLASS:**

Any organized class with less than 10 students unless the class is cross-listed with another organized class and the combined classes equal ten or more.

### Table: Underenrolled Classes for Fall, 2005

<table>
<thead>
<tr>
<th>DEPT. COURSE SECTION</th>
<th>NUMBER</th>
<th>CREDIT</th>
<th>FUND</th>
<th>ENROLLED</th>
<th>HOURS</th>
<th>DAYS/TFR</th>
<th>BUILDING</th>
<th>ROOM</th>
<th>INSTRUCTION TYPE</th>
<th>FACULTY</th>
<th>JUSTIFICATION FOR TEACHING</th>
<th>UNDER-ENROLLED COURSE</th>
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<tbody>
<tr>
<td>ROD 416 501</td>
<td>9</td>
<td>1</td>
<td>9</td>
<td>WEB TBA</td>
<td>LEC</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Meredith, J</td>
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<td>MAINTAIN SEQUENCE</td>
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<tr>
<td>HMS 200 201</td>
<td>2</td>
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<td>6</td>
<td>WEB TBA</td>
<td>LEC</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Underwood, R</td>
<td>DISTANCE ALLIANCE COURSE</td>
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<td>Pfaffenberg, C</td>
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<td>LEC</td>
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<td>Underwood, R</td>
<td>DISTANCE ALLIANCE COURSE</td>
<td>DISTANCE ALLIANCE COURSE</td>
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<td>3</td>
<td>3</td>
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<td>Underwood, R</td>
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<tr>
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<tr>
<td>SPH 442 020</td>
<td>8</td>
<td>3</td>
<td>24</td>
<td>T 0430PM 0700PM 214 HSCC 318</td>
<td>LEC</td>
<td>Whitney, S</td>
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<tr>
<td>JIN 200 017</td>
<td>9</td>
<td>2</td>
<td>15</td>
<td>HMF 0900AM 0955AM PE 109 LAH</td>
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<td>AGM 315 001</td>
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<td>1</td>
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<td>FOR 450 001</td>
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<td>4</td>
<td>36</td>
<td>TR 1100AM 1155PM AGS 110</td>
<td>LEC</td>
<td>Krakow, G</td>
<td>GRADUATING SENIORS</td>
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<td>NUR 310 006</td>
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<td>2</td>
<td>6</td>
<td>W 0900AM 1000AM NM 101</td>
<td>LEC</td>
<td>McCann, D</td>
<td>THECB GRANT FUNDED - AT RISK STUDENTS</td>
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<tr>
<td>NUR 317 004</td>
<td>7</td>
<td>5</td>
<td>35</td>
<td>W 0100PM 0200PM NM 101</td>
<td>LEC</td>
<td>Arnold, D</td>
<td>FAILURE OF STUDENTS 1ST SEMESTER</td>
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<td></td>
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<td>8</td>
<td>5</td>
<td>40</td>
<td>M 1000AM 1200PM L 101</td>
<td>LEC</td>
<td>Harper/More</td>
<td>FAILURE OF STUDENTS 1ST SEMESTER</td>
<td></td>
<td></td>
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<tr>
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<td>7</td>
<td>5</td>
<td>35</td>
<td>M/T/W/TH 0900AM 1055AM NURS 105</td>
<td>LEC</td>
<td>McDonald, S</td>
<td>FAILURE OF STUDENTS 1ST SEMESTER</td>
<td></td>
<td></td>
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<td>8</td>
<td>5</td>
<td>40</td>
<td>W 0830AM 1130AM NURS 105</td>
<td>LEC</td>
<td>Migl/Sethman</td>
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<td>8</td>
<td>3</td>
<td>21</td>
<td>W 0700PM 0800PM NURS 105</td>
<td>LEC</td>
<td>Herrmann/Frey</td>
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<td>LEC</td>
<td>Bailey/Conroy</td>
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</table>

**Total Hours Generated in Short Classes:** 434

**Estimated Total Hours Spring '05:** 142.94

**Estimated from Office of Institutional Research:**

- M = Monday
- T = Tuesday
- W = Wednesday
- R = Thursday
- F = Friday
- S = Saturday
- U = Sunday
<table>
<thead>
<tr>
<th>POLICY NO.</th>
<th>POLICY NAME</th>
<th>ACTION/CHANGE</th>
<th>PAGE NO.</th>
</tr>
</thead>
<tbody>
<tr>
<td>B-16</td>
<td>Kennedy Auditorium</td>
<td>Provided approval process for materials taped or affixed to building and equipment. Updated Source of Authority.</td>
<td>3</td>
</tr>
<tr>
<td>B-29</td>
<td>University Center Operations</td>
<td>Cable service providers permitted to conduct solicitation in UC. Added references to website and email capability for reservations. Deleted reference to rental of tables and chairs. Deleted references to Nibblers' Nook and Games Area.</td>
<td>4</td>
</tr>
<tr>
<td>C-17</td>
<td>Memberships</td>
<td>Memberships in Chambers of Commerce may not be purchased with state funds. Updated Source of Authority.</td>
<td>12</td>
</tr>
<tr>
<td>C-33</td>
<td>Purchasing Ethics</td>
<td>Added requirements for disclosure in contracts of over $1 million. Cross referenced policy E-56. Updated Source of Authority.</td>
<td>13</td>
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<tr>
<td>C-41.A</td>
<td>Investments-Endowment Fund</td>
<td>Broadened the content requirement for files maintained on investment firms. Deleted reference to Uniform Management of Institutional Funds Act that prevents expending net unrealized appreciation of endowment fund assets. Updated title of Vice President for Finance and Administration.</td>
<td>15</td>
</tr>
<tr>
<td>C-46</td>
<td>Fraud Policy</td>
<td>Title change and major re-write. Replaces Reporting Fiscal Misconduct Policy C-46.</td>
<td>23</td>
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<tr>
<td>C-49</td>
<td>Travel</td>
<td>Deadlines for submitting Travel Requests specified. Travel to Washington, DC for legislative conferencing must be reported. Incorporated State guidelines for meal reimbursement during travel. Updated guidelines for mileage reimbursement rates. Source of Authority updated.</td>
<td>30</td>
</tr>
<tr>
<td>D-4</td>
<td>Appearances Before the Board of Regents</td>
<td>Incorporated changes proposed to Board Rules and Regulations.</td>
<td>41</td>
</tr>
<tr>
<td>D-11</td>
<td>Emergency Management Plan</td>
<td>Major re-write.</td>
<td>43</td>
</tr>
<tr>
<td>D-22</td>
<td>Naming Guidelines</td>
<td>Provided for board discretion in naming opportunities. Updated title of Vice President for Finance and Administration. Names of Vice Presidents and Director of Physical Plant added to building plaques.</td>
<td>52</td>
</tr>
</tbody>
</table>
### Policies for Board Review
*October 20, 2005*

<table>
<thead>
<tr>
<th>E-56</th>
<th>ETHICS</th>
<th>MAJOR RE-WRITE.</th>
<th>54</th>
</tr>
</thead>
<tbody>
<tr>
<td>F-16</td>
<td>Accessibility for Persons with Disabilities</td>
<td>Updated Source of Authority.</td>
<td>63</td>
</tr>
</tbody>
</table>
Kennedy Auditorium

Original Implementation: September 1, 1975
Last Revision: July 14, 2005 October 20, 2005

The provisions of University Policy B-1, Use of University Facilities, govern the use of all buildings, facilities, equipment and grounds, hereinafter referred to as facilities, under the control of Stephen F. Austin State University. That policy provides that the University may establish additional procedures for the reservation and use of specific facilities; therefore, the following provisions apply to the Kennedy Auditorium.

Reservations for the Kennedy Auditorium must be made with the Dean of the College of Sciences and Mathematics.

1. No event is scheduled for which an admission fee is charged.

2. Verification is required from the University Center that no space in the University Center is available prior to allowing student organizations to use the Kennedy Auditorium.

3. The University is not responsible for items left in the auditorium.

4. It is the responsibility of the person making the reservation to obtain needed equipment such as a podium, projector, public address system, etc.

5. Persons reserving the auditorium will be responsible for keeping the facility clean and for repairing any damage.

6. No materials are to be taped or in any way affixed to the walls, doors (interior or exterior), chalkboards or screens without prior written approval.

Violation of the above regulations will result in denial of future use.

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

Cross Reference: B-1, Use of University Facilities

Contact for Revision: Dean of the College of Sciences and Mathematics

Forms: None
University Center Operations

Original Implementation: 1966
Last Revision: October 23, 2003 October 20, 2005

GENERAL OPERATIONS

1. Reservations in the University Center are made through the Coordinator of University Reservations and Conferences, referred to hereinafter as the Coordinator.

2. It is the responsibility of the Sponsoring Agency to ensure that the programs, related activities, and printed material are accessible to persons with disabilities. The University does not accept responsibility for insuring that the programs or activities of the group are in compliance with the provisions for the Americans with Disabilities Act. Questions regarding accessibility of facilities for a specific program being held in the University Center should be directed to the Coordinator.

3. Tho Nibbler's Nook is a non-reservable area for general use by tho public during regular operating hours.

4. Lounges are primarily intended for general use by the public. Limited use of the areas for active programming will be allowed upon approval of the Director of Auxiliary Services. Approval will depend upon several variables that will include time, size, and type of program.

5. Animals or pets of any kind, excluding, service animals shall not be permitted in the building at any time.

6. Individuals or groups reserving space in the University Center shall be responsible for the behavior of their members and guests and also shall be responsible for any damage caused by their guest or members.

7. Failure to comply with the Operations Policy or with requests of the persons enforcing this policy may result in suspension of privileges to use the University Center and/or lead to action under the University disciplinary code.

8. Disorderly conduct and disturbing the peace shall not be permitted in the University Center and may lead to disciplinary action.

9. Alcoholic beverages will be permitted in the University Center for receptions or meals (only if catered or sold through a licensed vendor and approved in advance by the President).

10. Card playing or table games may be played only in the Games Area or in rooms reserved for such purposes. No such games will be played in the dining area, the Hungry Jack Inn, the Nibbler's Nook or lounge areas. Gambling in the building is prohibited.
Appendix 2

1410. No classes, lectures, laboratories, tests or any type of class for credit shall be scheduled in the University Center, except under extenuating circumstances.

1411. The University Center will not be responsible for any articles lost in the building.

1412. Food and drinks shall not be permitted on the second floor of the building except when provided by University Center personnel for approved reservations. Food and beverages are not allowed in the carpeted lounge areas without prior arrangements with the Coordinator.

1413. Electrical circuits shall not be altered nor connected to, except through outlets provided and with the approval of the Coordinator.

1414. Equipment and furnishings assigned to the University Center shall not be removed from the immediate vicinity of the University Center for any reason, except upon permission from the Director of Auxiliary Services.

1415. The public address system shall be used for music and official announcements only.

1416. Skates, skateboards, bicycles or bikes of any kind are not allowed inside the University Center.

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

DISTRIBUTION OF PROMOTIONAL MATERIALS

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

a. The promotion of commercial enterprises is prohibited.

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

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

   d. Posters shall not exceed 14" X 22".
e. Banners shall not exceed 18 feet long by 21" tall.

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

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

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

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

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

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

POLITICAL CAMPAIGN POLICY

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

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

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

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

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

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

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

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

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

5. Commercial cable service providers under contract with Stephen F. Austin State University may conduct solicitation in the University Center on days designated by the Director of Auxiliary Services in areas assigned by the University Center Coordinator.

BUILDING HOURS

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

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

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

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

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

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

4. The University Center will not store items overnight for patrons. All items, including balloons, brought into the Center for decorating purposes must be removed immediately following the event. Trash bags may be supplied by the UC custodial service for balloon and trash removal.

5. The University Center shall not be responsible for any articles left in the building.

6. Decorations will be attached only to self-supporting scaffolding and/or attachments provided for decorating purposes. Standards, easels, room dividers, or tack boards are available and may be requested through the Coordinator.

7. Excessive decorating requests such as: hanging and removing items from the ceiling or sides of the room above the existing wires, activities requiring the use of scaffolding, ladders and electrical hookups will be charged a maintenance fee. (See charges)

8. The use of adhesive tape, glues including spray glue and hot glue, tacky tape, thumb tacks, masking tape or nails on doors, posts, ceilings, walls, floors or fixtures is prohibited.

9. The use of hay or other flammable materials will not be permitted in the UC without prior approval.

10. Decorations must be constructed by the organization outside the facility. Sawing, painting or hammering, other than joining complete sections, must be done outside the building.

11. In case of special decorating needs, check with the Coordinator. A time may be established for entry into the facility for the purposes of decorating with appropriate charges.
12. Services and equipment provided at no charge are subject to availability, and working conditions.

RESERVATIONS

1. Reservation Books are opened the first working day of the new calendar year for the following calendar year. The general policy is to honor reservations on a first-come, first-serve basis. Regular summer camps and special University functions will automatically be scheduled for the corresponding dates each year.

2. Reservation contracts must be confirmed and the reservations document signed or confirmed by email by the reserving person two weeks prior to each event. Unconfirmed reservations after this time will automatically be canceled.

3. Reservations will not be accepted the day of the event.

4. The scheduling of activities, facilities, or equipment for recognized University clubs and organizations must be made by a group officer or the sponsor of the organization.

5. Failure to use or release a University Center facility forty-eight hours prior to the event may result in the group paying the regular room rates.

6. Groups scheduling activities with an expected attendance of 700 or more are required to secure the services of a University Police Officer.

7. Commercial enterprises are normally not permitted to reserve or use space in the University Center for purposes of promotion or selling. The Director of Auxiliary Services may approve a commercial enterprise entering into an agreement with the University Center for solicitation within the center, provided the activity has cultural or educational value.

8. Changes in physical set-up of reserved space must be arranged with the Coordinator or after office hours with the University Center Night Manager. Requested changes will only be accommodated as time permits and will be subject to charges.

9. Off campus groups or individuals may be required to make a prepayment of three fourths of the expected total bill two weeks before the event.

10. Groups and individuals with outstanding bills or debts owed to the University Center will have their reservation privileges in the UC suspended.

11. Only food and beverage prepared by the University Center Food Service will be served in the meeting and dining rooms of the University Center. A Catering Booklet with menus and University Center charges is available in the Coordinator's office and on the catering website at http://www.sfasu.edu/auxsvcs/pricelist/.
12. Only registered university organizations may reserve tables adjacent to the lounge areas in the University Center.

13. Events that will continue after 9 p.m. must be scheduled at least two (2) weeks prior to the event.

14. Use of University facilities or services are subject to be changed or cancelled based upon priority needs of the University as determined by the Director of Auxiliary Services.

TECHNICAL SERVICES

1. The University Center will provide technical equipment if available. See the Coordinator for a list of available equipment and prices, visit http://www.sfasu.edu/auxvcs/pricelist/. Reservations for the event and technical equipment are made with the Coordinator two weeks before the event. Late additions of technical equipment to the order must be made at least two days prior to the event and a late charge will be assessed (See charges).

2. Only University Center personnel will be permitted in the Technical Service booth above the Grand Ballroom.

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

FACILITY USAGE BY APPROVED STUDENT ORGANIZATIONS AND UNIVERSITY DEPARTMENTS

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

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

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

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

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

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

CATERING

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

CAMPUS LOST AND FOUND

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

CHARGES

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

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

Cross Reference: None

Contact for Revision: Director of Auxiliary Services

Forms: None
Memberships

Original Implementation: September 1, 1982
Last Revision: July 14, October 20, 2005

All memberships are held in the name of the University. Memberships that clearly relate to the University as a whole may be paid from the University's Institutional Membership account, subject to available funding and President's approval. Memberships relating to specific departments or functions are funded from departmental or college accounts.

Requests for approval of memberships are processed electronically through the online Financial Records System (FRS) using Requisition Type ‘DM’.

All memberships must be approved at the president’s or vice president’s level. This approval may not be delegated.

Memberships to be funded from the University's Institutional Membership account must be routed to the President’s Office for requisition entry.

Memberships in a Chamber of Commerce may not be purchased with state funds.

Source of Authority: Texas Government Code, Section 2113.104; State Comptroller Purchase Policies and Procedures Guide, July 2004, Section 2.036; President; Vice President for Business Affairs-Finance and Administration.

Cross Reference: Purchase Requisition, Policy C-30

Contact for Revision: Director of Purchasing & Inventory

Forms: None
Purchasing Ethics and Confidentiality

Original Implementation: Unpublished
Last Revision: July 8, 2004 October 20, 2005

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.

Written disclosure must be submitted to the President for any contract of $1 million or more in value. Reference Ethics Policy E-56 for specific information regarding the disclosure.

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. Refer to Ethics Policy E-56 for the statutory definition of a "benefit."
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 Finance and Administration, Texas Government Code 2262.004

**Cross Reference:** None Ethics Policy E-56

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

**Forms:** None
Investments - Endowment Funds

Original Implementation: Unpublished

Last Revision: April 30, 2004 October 20, 2005

GENERAL

This Investment Policy Statement (IPS) applies to all Stephen F. Austin State University (the "University") endowment funds. These funds are given to the University by individuals and institutions to promote, encourage and advance education and to improve the degree and non-degree educational functions by establishing scholarships, fellowships, professorships, academic chairs and other academic endeavors at the University, as specified by donors.

As provided in the Texas Education Code, each member of the Board of Regents (Board) has the legal responsibilities of a fiduciary in the management of funds under the control of the University. The Board recognizes its responsibility to insure that the assets of the endowment funds are managed for the exclusive benefit of the University in accordance with its donors' intentions, effectively and prudently, in full compliance with all applicable laws.

Separate fund balance accounts are maintained for all funds. Funds may be restricted either by the donor or the Board. Restricted funds are available primarily for specific purposes considered beneficial to the University.

The investment of the Endowment funds is governed by Section 51.0031 of the Texas Education Code. This section states that the University "... with regard to donations, gifts and trusts may establish endowment funds that operate as trusts and are managed under prudent person standards. As used in this section, "prudent person standard" is the standard of care described in Article VII, Section 11b. of the Texas constitution, and means that standard of judgment and care that persons of ordinary prudence, discretion, and intelligence exercise in the management of their affairs in regard to the investments of their funds, considering probable income as well as probable safety of their capital.

In the management of the University endowment investments, consideration will be given to the need to balance a requirement for current income for present activities with a requirement for growth in principal to compensate for inflation. Consideration will be given to the need for safety of principal, liquidity, diversification, yield and quality.

The overall objective of the IPS is to assure that the University’s endowment funds are invested in a manner to achieve as high a level of return as can reasonably be expected to be achieved given the primary objective of safety and preservation of principal. The IPS clearly and concisely states the responsibilities of all parties involved with the
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endowment funds. The IPS will assist the Board, the Finance Committee ("Committee") and the University Administration in effectively communicating with and monitoring the investment manager(s) and the investment firm(s) that will be engaged from time to time to facilitate the management of the endowment assets of the University. It states the Boards' attitudes, guidelines and objectives in the investment of the endowment assets.

RESPONSIBILITIES

The University acknowledges that the ultimate responsibility for satisfactory investment results rests with the Board. The Board believes that this responsibility is best discharged by delegating certain authority to the University administration and by appointing one or more investment management organizations to assume certain responsibilities.

The specific responsibilities of the Board in the investment process include and are limited to developing a sound and consistent investment policy, developing sound and consistent investment policy guidelines, establishing reasonable investment objectives, allocating the endowment assets between equity and fixed-income investments, and other investment mediums which it may deem appropriate and prudent, communicating clearly the major duties and responsibilities of those accountable for investing the endowment assets and achieving investment results, evaluating performance results, and abiding within all applicable laws, including conflict of interest provisions therein.

The Vice President for Business Affairs - Finance and Administration (Vice President) is designated as the investment officer for the University. As such, the Vice President or designee(s), is responsible for accounting for investments, monitoring and evaluating performance results, and ensuring that policy guidelines are being adhered to and investment objectives are being met. In addition, the Vice President or designee(s), is responsible for the purchase, sale, assignment, transfer and management of investments, for communicating with investment managers, brokers and dealers, for compiling performance results, and for determining the proper distribution of investment returns to the various accounts. The Vice President is also responsible for determining the appropriate distribution of income in accordance with the distribution policy in the distribution policy section. The Vice President will submit an annual investment perspective to the Board of Regents.

INVESTMENT POLICY

The Board believes that the endowment assets should be managed in a way that reflects the application of sound investment principles.

The Board adheres to the traditional capital market theory that maintains that over the long term, the risk of owning equities should be rewarded with a somewhat greater return than available from fixed-income investments. This reward comes at the expense of higher volatility of returns and more exposure to market fluctuations than with fixed-income investments. Fixed-income investments provide a more predictable return and higher current income than do equities. Thus assets should be allocated between fixed-
income investments and equities are such a manner as to provide for current income while providing for maintenance of principal in real terms.

Avoiding large risks is essential. The University is willing to trade off some potential opportunities for gain from high-risk investments (with high loss potential) by assuming a moderate-risk posture in order to have a more stable positive return. This may result in sacrificing some potential opportunities for gain during rising markets in order to avoid large short term declines in market value during falling markets. Since the University is adverse to large downward fluctuations in the value of its investments resulting from volatile market value fluctuations, such year-to-year volatility should be minimized.

INVESTMENT POLICY GUIDELINES

For the purpose of this policy all securities which use long-term credit ratings must be rated the equivalent of "A" or better by a nationally recognized credit rating service. Securities using short-term credit ratings must be rated at least A-2, P-2, F-2 or the equivalent by a nationally recognized credit rating service.

The following categories of securities are permissible investments:

a) Direct obligation of the United States Government or its direct agencies.

b) Direct obligations of federally-sponsored agencies in accordance with the above paragraph.

c) United States dollar denominated bonds, debentures, or commercial paper and convertible securities issued by corporations in accordance with the above paragraph.

d) Common stock and preferred stock issued by United States domiciled corporations and common stocks of foreign companies listed on the major U.S. or foreign security exchanges.

e) Certificates of Deposit issued by federally insured state banks, federally insured savings and loan associations and saving banks or federally insured credit unions. Amounts over the insurance limit of the institutions must be secured by pledged securities.

f) Bankers acceptances accepted by a bank organized and existing under laws of the United States or any state in accordance with the above paragraph.

g) Money Market Mutual Funds. Funds must be registered with the Securities and Exchange Commission, have a maximum dollar weighted average maturity of no longer than 13 months, and be no-load funds. Funds
must have assets consisting of securities described in the paragraphs above and seek to maintain a stable net asset value of $1.00 per share (or unit).

h) Direct Security Repurchase Agreements. Direct Repos must be fully secured (collateralized) by securities authorized under the sections (a) through (f) above. Such collateral must be held by a third party. All agreements will be in compliance with Federal Reserve Bank guidelines.

i) Shares of investment companies as defined by the Investment Company Act of 1940. These companies include both closed-end investment companies and open-end investment companies (mutual funds). Shares in these companies may be purchased if they own securities described in sections (a) through (h) above.

j) Certain types of transactions and purchase of certain types of securities are specifically prohibited by this policy. Commodity trading including all futures contracts, purchasing of letter stock, short selling, option trading, and margin trading are specifically prohibited. Neither tax-exempt debt of state and local governments, private placements, nor guaranteed investment contracts may be purchased. No investments will be made in derivative products as defined by the Financial Accounting Standards Board in SFAS, No. 119. Collateral mortgage obligations that do not pass the FFIEC test may not be purchased.

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

1. acts of criminal violence, including murder, assault, assault on police officers, sexual assault, and robbery;
2. necrophilia, bestiality, or pedophilia;
3. illegal use of controlled substance;
4. criminal street gang activity;
5. degradation or denigration of females; or
6. violence against a particular sex, race, ethnic group, sexual orientation, or religion.
l) Except for up to three cases, no more than five percent (5%) of the portfolio, including convertible securities, can be invested in any one company. This will be measured on a cost basis. No more than ten percent (10%) of the portfolio can be invested at any time in one company based on the market value of the stock and portfolio. This section is not applicable to investments in U.S. Government securities.

m) No more than fifteen percent (15%) of the portfolio can be invested in any one industry, as defined by Standard and Poor’s broad categories, based on the cost value of the portfolio. No more than thirty percent (30%) of the portfolio can be invested in any one industry based on the market value of the portfolio. The holdings do not have to be invested in industry groups that represent a cross-section of the economy.

n) All of the equities purchased for the portfolio (based at market value) should have a minimum market capitalization of $250 million.

The allowable range and target asset allocation for the endowment funds is:

<table>
<thead>
<tr>
<th>Class</th>
<th>Allowable Range</th>
<th>Target</th>
</tr>
</thead>
<tbody>
<tr>
<td>Equities securities</td>
<td>0% - 70%</td>
<td>60%</td>
</tr>
<tr>
<td>Fixed income securities</td>
<td>0% - 60%</td>
<td>40%</td>
</tr>
<tr>
<td>Cash or cash equivalents</td>
<td>0% - 100%</td>
<td>0%</td>
</tr>
</tbody>
</table>

For the fixed income portion of the portfolio the asset mix should be, maximum U.S. government bonds 100%, minimum government bonds 0%, maximum corporate bonds 50%, minimum corporate bonds 0%, maximum cash 100%, minimum cash 0%.

Gifts of individual securities will be liquidated or transferred to an equity fund manager currently employed by the University under the Use of Investment Firms section. The liquidation or transfer will take place as soon as possible. If liquidated, the proceeds will be invested in accordance with the allowable range and target asset allocation set forth in this policy. Exceptions to this policy are securities described by sections (a), (b) and (c) above. Such securities may be held so long as the asset allocation ranges are maintained.

The policy in this section can be overridden by a written directive from a donor.
USE OF INVESTMENT FIRMS

The Vice President or designee, is responsible for selecting of brokers and dealers for the execution of security transactions and for the safe keeping of securities. Sales, purchases and exchanges will be transacted through well-capitalized, nationally-recognized investment firms which are major participants in the equity and fixed-income markets. Firms should be selected to provide the maximum benefit to the University. The Vice President may choose to use a request for proposals to select the firm or firms with which the University deals.

Selection of outside investment managers will follow these guidelines:

a) The Vice President or designee, within statutory and other regulatory authority, may place selected funds of the University with investment managers outside the University for investment purposes. The investment of such funds will be subject to the provisions of this investment policy statement. The Vice President is authorized to negotiate with outside investment managers for the benefit of the University.

b) Outside investment manager(s) will receive a copy of the IPS and a Letter of Instructions outlining investment instructions and asset allocation parameters expressed in writing by the Vice President. The Letter of Instructions will state return objectives that are reasonable and achievable within the guidelines provided herein. These return objectives should be achieved over a reasonable time frame, thus it is not necessary for the outside manager(s) to exceed the return expectations each quarter. In addition, each outside investment manager must execute a written statement to the effect that the registered principal of the organization has received and thoroughly reviewed the investment policy of the University. The statement must also acknowledge that the organization has implemented reasonable procedures and controls in an effort to preclude imprudent investment activities.

c) Consistent with this investment policy statement and their Letter of Instruction, the outside investment manager(s) will be responsible for making decisions on a discretionary basis. This includes buy, hold, sell and timing decisions. The outside manager(s) must make responsible decisions in the selections of specific securities and the general timing of purchases and sales necessary to achieve a satisfactory overall return for the assets.

d) Outside manager(s) will invest only into the security class(es) for which they were retained to manage. The manager(s) have discretion to place funds into cash, however, their performance will be measured against an index which measures their security class without deducting the cash position.
Investment managers employed by the University to invest in equities may be evaluated using the following guidelines:

a) The average portfolio Beta should be between 1.10 and 0.90. That is to say that the volatility of the fund should not differ from the volatility of the S&P 500 by more than ten percent. The Beta calculation should include any cash position in the portfolio.

b) The R-Squared may be as high as 100% over a time frame of one year or longer if all investment objectives are met. R-Squared is a statistical evaluation to measure similarity in behavior of the portfolio to the market.

c) The annualized Alpha should be greater than the managers fee essentially showing that value is being added for the risk taken. Alpha measures the excess return for the amount of risk taken.

d) Portfolio turnover will be monitored. If the performance results of the portfolio meet the objectives stated herein, the rate of turnover in the portfolio will not be an evaluative factor. However, a portfolio turnover higher than the average of similar fund managers is considered a negative.

Files will be maintained on investment firms with which the University deals. The files will contain financial statements for the firms and NASD reports for the brokers and firms or other appropriate documentation information that supports the financial stability of the firms. These files will be updated annually. A list of approved brokers and firms will be maintained and changes will be approved by the Board of Regents.

DISTRIBUTION POLICY

The spending policy should balance the long-term objective of maintaining the purchasing power to the endowment funds with the goal of providing a reasonable, predictable, stable, and sustainable level of income to support current needs. Pursuant to Chapter 163 of the Uniform Management of Institutional Funds Act, an institution of higher education may not expend the net unrealized appreciation of the assets of an endowment fund. The Vice President may review the nature of the various endowments to determine the need for income for current spending and the ability to tolerate variability in current income. The asset allocation between fixed-income securities and equities may reflect diversification needs of the endowments.

PERFORMANCE EVALUATION

The Vice President will submit quarterly reports to the Board on the performance of the investment portfolio. The reports will disclose the book value and market value of the portfolio at the beginning and ending of the reporting period by the type of asset and fund type invested. The reports will disclose the realized and unrealized gains/losses on the portfolio for the reporting period. Additions and changes in the market value of the
portfolio during the period will be reported. The reports will show the pooled fund value as well as individual assets by fund type. The reports will state the maturity date of each asset that has a maturity date. The total return on the portfolio, on each asset class and for each manager will be reported.

The performance of the total portfolio, each asset class and each manager will be compared to appropriate benchmarks and included in the quarterly reports to the Board. The report will contain sufficient information for the Board to determine if actions should be taken to correct any deficiencies that may exist.

**CONFLICTS OF INTEREST**

Members of the Board are frequently persons of wide-ranging business interests. Therefore, a prudent, independent investment decision process may result in investments in firms or organizations with which a member of the Board is affiliated. Affiliation shall be interpreted within this section to mean an employee, officer, director, or owner of five percent or more of the voting stock of a firm or organization. The investment staff or an unaffiliated investment manager may invest in such securities. However, the following restrictions shall apply:

a) a member of the Board shall not direct nor participate in the decision to purchase or sell securities of a firm with which such member is affiliated; and

b) investments will not be purchased from or sold to a member of the Board.

**AUDITS**

The Department of Audit Services of the University shall include endowment assets as a component of its annual audit risk assessment. If the department determines that the endowment assets meet its risk assessment criteria, Audit Services may perform an annual audit of the endowment assets to ensure compliance with the endowment investment policy.

**Source of Authority:** Board of Regents

**Cross Reference:** Texas Education Code, Section 51.0031

**Contact for Revision:** Vice President for Business Affairs, Finance and Administration

**Forms:** None
INTRODUCTION

This policy establishes procedures and responsibilities for detecting, reporting and resolving instances of known or suspected fiscal misconduct, fraudulent activity. The intent of the policy is to protect the assets and interests of the University, prescribe a coordinated approach toward investigation and resolution of fraudulent activity, fiscal misconduct and outline specific responsibilities for individuals responding to the investigation of a fraudulent activity, fiscal misconduct event. Retaliation for filing a good faith report regarding suspected fraudulent activity, fiscal misconduct is prohibited by this policy, and is cause for disciplinary action, up to and including termination.

A) University - Stephen F. Austin State University and all of its components, regardless of the source of funding.

B) Employee - All persons receiving compensation from personnel employed by the University, including faculty, staff, and students. The term also includes any volunteer who provides services to the University through an official arrangement with the University or a University organization.

C) Management – Any administrator, manager, account holder, director, supervisor or other individual who manages or supervises funds, assets or other resources, including human resources.

D) Fraud – Fraud is defined as a representation usually of fact about a material point which is intentionally, knowingly or recklessly false which is believed and acted upon by a victim to the victim’s damage.

E) Fraudulent Activities/Fiscal Misconduct - Defalcation, misappropriation, and other fiscal irregularities or improprieties, meeting the definition of fraud in D) above including but not limited to:

1) dishonest, illegal, or fraudulent acts involving University property;

2) forgery or alteration of documents including checks, drafts, promissory notes, and securities, purchase orders, budgets, etc.;
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3) forgery or unauthorized alteration by employees of employee benefit or salary-related items such as time sheets, payroll documents, billings, claims, surrenders, assignments, or changes in beneficiary;

4) forgery or unauthorized alteration by employees of student related items such as grades, transcripts, loans, fees, financial aid applications, financial aid records;

5) misappropriation of funds, securities, supplies, or any other asset of the University;

6) illegal or fraudulent handling or reporting of money transactions;

7) employee acceptance or solicitation of any gift, favor, or service that might reasonably tend to influence the employee in the discharge of his or her official duties;

8) theft, destruction or disappearance of records, furniture, fixtures, or equipment or other records or assets where theft is suspected;

9) misrepresentation of information on documents;

10) authorizing or receiving payment for goods not received or services not performed;

11) knowing, reckless, or intentional inaccuracies in the maintenance of books and records or irregularities in financial reporting;

12) any apparent violation of Federal, State or local laws related to dishonest activities or fraud;

13) any similar or related activity.

FD) Suspected Fraudulent Activity/Fiscal Misconduct - A reasonable belief or actual knowledge that fraudulent activity/fiscal misconduct has or is occurring. Failure to show an actual diversion of assets or loss shall not be considered unreasonable belief.

POLICY AND PROCEDURE

Any employee of the University who knows of or suspects fiscal misconduct must promptly notify his or her immediate supervisor and/or one of the following investigative units: the Department of Audit Services, the Office of General Counsel, the University Police Department or the Personnel Department. The University Police Department or Office of General Counsel are the preferred primary contacts. The unit contacted shall
All affected departments and/or individuals shall cooperate fully with the investigative
team to identify whether or not actual fiscal misconduct has occurred.

The investigative team shall update University administration of the progress of all
investigations. The scope of and individuals subject to investigations are to be considered
in determining the extent and nature of notification.

The results of all investigations will be reported to the President of the
University.

MANAGEMENT RESPONSIBILITY

Management is responsible for detecting fraudulent or related dishonest activity in their
areas of responsibility. Management is responsible for establishing and maintaining a
system of internal control that provides reasonable assurance that improprieties are
prevented and detected. Each manager should be familiar with the types of improprieties
that might occur in his or her area and be alert for any indication that such a defalcation,
misappropriation, or other fiscal irregularity has occurred. When an impropriety is
suspected, management should determine if an error or mistake has occurred or if there
may be dishonest or fraudulent activity.

Management will support the University's fiduciary responsibilities and will cooperate
with auditors and law enforcement agencies in the detection, investigation, and reporting
of criminal acts, including prosecution of offenders. Every effort should be made to
recover University losses.

REPORTING SUSPECTED IMPROPRIETY OR FRAUDULENT ACTIVITY

Any employee of the University who knows of or suspects fraudulent activity or
improprieties must promptly notify his or her immediate supervisor and/or one of the
following investigative units: the Department of Audit Services, the Office of General
Counsel, the University Police Department or the Human Resources Department. The
unit contacted shall contact the remaining three units as appropriate to establish the
necessary investigative team and procedures.

Great care must be taken in the reporting and investigation of suspected improprieties or
irregularities to avoid incorrect accusations or alerting suspected individuals that an
investigation or audit is underway and also to avoid making statements which could
provide a basis for a lawsuit for false accusation or other offense. The reporting
individual should not:
1) contact the suspected individual to determine facts or demand restitution; or

2) discuss the facts, suspicions, or allegations associated with the case with anyone, unless specifically directed to do so by the Department of Audit Services, University Police, or Office of the General Counsel.

To the extent permitted by the applicable provisions of the Texas Open Records Act, confidentiality of those reporting dishonest or fraudulent activities will be maintained. However, the confidentiality cannot be maintained if that individual is required to serve as a witness in legal proceedings.

The University will maintain an anonymous reporting system through the Department of Audit Services for reporting dishonest or fraudulent activity.

INVESTIGATION

Prior to conducting an investigation, the following personnel will communicate as appropriate to establish the necessary investigative team: General Counsel, Director of Audit Services, University Chief of Police, and Director of Human Resources.

The Department of Audit Services will supervise all audits of allegations of defalcation, misappropriation, and other fiscal irregularities. The Department of Audit services will have full and unrestricted access to all necessary records and personnel. All University furniture and contents, including desks and computers, are open to inspection when there is reasonable suspicion of a dishonest or fraudulent activity which makes such inspection appropriate; there is no assumption of privacy. General Counsel shall be contacted before inspection of desks and computers beyond inadvertent or official access. Every effort should be made to effect recovery of University losses.

All affected departments and/or individuals shall cooperate fully with the investigative team to identify whether or not actual fraudulent activity has occurred.

The investigative team shall update University administration of the progress of all investigations. The scope of and individuals subject to investigations are to be considered in determining the extent and nature of notification.

The results of all investigations will be reported to the President of the University or to the Chair of the Regent's Finance Committee when considered necessary.

When an audit reveals suspected criminal activity, or an audit is initiated due to an allegation of criminal activity, the University Police Chief will be notified immediately and the audit will proceed under their-his direction. In order to avoid the use of
investigative techniques that might prevent evidence from being used in a criminal prosecution. University Chief of Police will coordinate the criminal investigation once probable criminal activity has been detected. The Department of Audit Services shall assist the University Police in investigations of suspected defalcation, misappropriation, and other fiscal irregularities that require accounting and auditing knowledge of University records.

When an audit involves allegations or reveals suspected criminal activity which may constitute a felony offense, the Chief of Police shall, when appropriate, immediately notify the President or his designee. The Director of Audit Services shall keep the University Chief of Police informed regarding the progress of the audit.

The University Police, Department of Audit Services, and Office of the General Counsel will coordinate assistance provided to State, Federal, and local law enforcement agencies in connection with felony fraud investigations. All requests for information and/or assistance from such agencies, received by any other component of the University, shall be immediately forwarded to the University Police for determination and handling. All reasonable assistance will be given to law enforcement agencies when requested.

All requests for information and assistance related to investigations conducted by auditors of federal and state agencies, which are concerned with potential dishonest or fraudulent activities within the University, shall be forwarded immediately to the Director of Audit Services for consultation with the Office of General Counsel.

In order to avoid the use of investigative techniques that might prevent evidence from being used in a criminal prosecution, University Police will coordinate the criminal investigation once probable criminal activity has been detected. The Office of Audit Services shall assist the University Police in investigations of suspected defalcation, misappropriation, and other fiscal irregularities that require accounting and auditing knowledge of University records.

In order to protect the reputations of innocent persons initially suspected of wrongful conduct and to protect the University from potential civil liability, the results of investigations and attendant audits will not be disclosed or discussed with anyone other than authorized representatives of law enforcement and/or regulatory agencies and only those persons associated with the University who have a legitimate need to know such results in order to perform their duties and responsibilities, subject to provisions of the Texas Open Records Act.

Pursuant to Section 321.022 of the Texas Government Code, the President shall file an appropriate report with the office of the State Auditor. All records of a communication by or to the State Auditor in this regard are legally considered audit working papers of the State Auditor.
INVESTIGATIONS AND ATTENDANT AUDITS

Audits revealing violations of the Penal Code for which an audit report will be issued shall be reduced to final report form only after consultation by University Police with the local prosecutor or the Office of General Counsel to ensure that appropriate documentation of the facts has been achieved in order to permit appropriate personnel action, protect innocent persons, support appropriate civil or criminal actions, document claims made pursuant to applicable fidelity bonds, preserve the integrity of criminal investigation and prosecution and avoid unnecessary litigation.

Great care must be taken in the investigation of suspected improprieties or irregularities to avoid incorrect accusations or alerting suspected individuals that an investigation or audit is underway and also to avoid making statements which could provide a basis for a lawsuit for false accusation or other offense. The reporting individual should not:

1) contact the suspected individual to determine facts or demand restitution; or

2) discuss the facts, suspicions, or allegations associated with the case with anyone, unless specifically directed to do so by the Office of Audit Services, University Police, or Office of the General Counsel.

All inquiries from the suspected individual, their representative or their attorney shall be directed to the Office of General Counsel without further comment.

All reproduction of documents, evidence, and reports shall be performed within the secured work area of the University Police or Office of Audit Services. Any requests to release or review such documents will be coordinated through the Office of the General Counsel.

To the extent permitted by the applicable provisions of the Texas Open Records Act, confidentiality of those reporting dishonest or fraudulent activities will be maintained. However, the confidentiality cannot be maintained if that individual is required to serve as a witness in legal proceedings.

When an audit initiated due to an allegation of criminal activity has failed to detect criminal activity or when advised by the Office of General Counsel, the Director of Audit Services has the discretion to stop the audit. The Office of University Police retains authority to review the progress of criminal investigations and to determine whether to pursue a criminal prosecution.

AUDIT FINDINGS

Each investigation of possible dishonest or fraudulent activities has the potential to provide valuable insight into University activities. Investigations may disclose control
weaknesses or other deficiencies that require additional auditing or attention by management. The Office of Audit Services shall consider the nature and extent of the investigation and complete any additional audit work necessary to provide management with information for appropriate action.

Source of Authority: Board of Regents; Section 321.022 of the Texas Government Code

Cross Reference: Employee Conduct E-15, Ethics Policy E-56, Discipline and Discharge E-11

Contact for Revision: Vice President for Business Affairs, Finance and Administration

Forms: None
Travel

Original Implementation: October 31, 2000
Last Revision: April 28, 2005

Applicability

Unless otherwise stated, this policy applies to employees and prospective employees traveling in a University capacity except members of the Board of Regents and the President, who are exempt, and intercollegiate athletics. All policies, rules, and regulations related to travel on behalf of, or in connection with, intercollegiate athletics are included in the current issue of the Intercollegiate Athletics Policy Manual.

The travel regulations contained in this policy apply to all University funds. The reimbursement limits established by this policy may be exceeded only if funds are available in, and the additional costs are charged to, a discretionary account controlled by the budget manager authorizing the additional expenditure. For this policy, discretionary funds shall be defined as specified accounts established for the sole purpose of discretionary use.

General Travel Regulations

Generally, the State of Texas Travel Allowance Guide is the authoritative document regarding travel rules and regulations. The Guide is located in the Controller’s Office and at Travel Website. In case of conflict between the Guide and this policy, this policy takes precedence.

Employees, and others traveling on behalf of the University, are reimbursed for actual lodging expenses and on a per diem basis for meals, subject to the provisions of this policy. In the case of employees traveling together, each must pay and claim reimbursement for his own expenses (except taxi or limousine expenses – see Incidental Expenses section of this policy).

Tips and gratuities are not reimbursable.

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

Travel Request

Except as stated in the Applicability section of this policy, anyone traveling on University business must obtain permission in advance of the trip. A Travel Request form (available from University Printing Services and at Travel Website) must be submitted and approved at all applicable levels, as indicated on the form, whether or not expenses will be incurred. All expenses of the trip are to be reflected on the Travel Request, regardless of whether they are to be prepaid.
The Controller's Office uses the Travel Request to encumber funds against the appropriate account(s). The Travel Request will be approved by the Controller's Office only when account balances are sufficient to cover the total estimated cost of the trip. The Travel Request should be received by the Controller's Office at least five (5) working days prior to departure.

Travel to Washington, DC

Before an employee traveling to Washington, DC to confer on legislative or appropriations issues, an employee shall inform the Texas Office of State-Federal Relations about the timing and purpose of the trip, and provide the office with the name of a person who may be contacted for additional information about the trip. A completed form, Report of State Agency Travel to Washington, DC (available at Travel Website), will meet this requirement when submitted prior to the trip.

Foreign Travel

Official University business travel to any foreign country other than Canada or Mexico requires advance written approval from the Chair of the Board of Regents. The traveler must submit a Travel Request through the appropriate administrative channels to the President, who will forward the request to the Board Chair. To be considered for approval, foreign travel must be directly related to the University's mission and must require a duty that cannot be performed without the travel.

A completed Travel Request form (available from University Printing Services and at Travel Website) must be routed through the appropriate administrative channels in sufficient time to be approved by the Board Chair prior to the date of departure.

Charge Card for Travel Expenses

An individual corporate charge card is available for eligible employees. To be eligible to apply, the employee must take, or expect to take, three (3) or more business trips per fiscal year, or expend at least $500 per fiscal year for official State business. An employee is not required to apply for or accept a State-issued charge card.

The State-issued individual corporate charge card is to be used for business-related charges only while traveling on official State business. Use of the card for personal business is considered a violation of State policy and the employee may be subject to disciplinary action. The individual whose name appears on the card is solely responsible for payment of the account. If the card is suspended or cancelled for misuse or nonpayment, the employee will be ineligible for travel advances from the University.

If the application is approved by the credit card company, the employee agrees to be bound by the cardmember agreement which will be sent with each card. Additionally, the employee agrees to be bound by the State policies governing the use of the card. Applications and further information concerning this program are available in the
Controller's Office or at Travel Website. The employee, the employee's supervisor, and the travel manager in the Controller's Office must sign the application.

Advance Travel Funds

Advance travel funds are available for employees who wish to obtain money in advance of the trip and who are ineligible to apply for the individual corporate charge card. Employees eligible to apply for the corporate credit card are not eligible for advances; however, any employee may request advance travel funds when taking student groups. Eligibility to apply for the State-issued corporate card is defined as taking three or more business trips per fiscal year or expending at least $500.00 per fiscal year for official State business. Advance travel funds may be requested on the Travel Request form (available from University Printing Services and at Travel Website). The minimum amount of advance funds that can be obtained is $100.

To receive advance travel funds, the Travel Request should be received by the Controller's Office at least five (5) working days prior to departure. Generally, the requested funds will be available at the University Business Office at least one working day prior to departure. Advance travel funds will be issued by a check made payable to the individual requesting the funds. As a condition of receiving advance travel funds, the employee agrees to refund any excess (amount advanced less documented eligible expenditures on the Travel Voucher) within 30 days from the ending date of the trip. An employee receiving advance travel funds will be ineligible for future travel advances until the outstanding Travel Voucher is submitted. An employee who receives an advance and does not travel must immediately return the advance funds. Abuse of the travel advance privilege will result in ineligibility for future advances and the employee may be subject to disciplinary action.

An advance travel check will only be issued prior to the trip. No advancement is authorized if the trip has already commenced. The traveler should submit a Travel Voucher for reimbursement subsequent to the trip.

Travel Voucher (Travel Expense Documentation and Reimbursement)

In order to receive reimbursement, travel expenditures must be documented on a Travel Voucher (available from University Printing Services and at Travel Website) and signed by the traveler and the account manager. The Travel Voucher must reflect the total reimbursable expenses paid by the employee, regardless of whether advance travel funds were received. Expenses paid by the University should not be on the Travel Voucher. Original receipts are required for most travel expenses (see applicable section of this policy for specific details), except meals. In the case of meal expenses for group travel, the sponsor/advisor must provide documentation of how the funds were expended. The sponsor/advisor should contact the travel manager in the Controller's Office in advance of the trip for instructions. See Student and Other Group Travel, below.

Appendix 2
The Travel Voucher should be submitted, with original receipts attached, to the Controller's Office within 30 days from the ending date of the trip. **No reimbursements will be made and all encumbrances will be cancelled 30 days after the end of the fiscal year.**

The *State of Texas Travel Allowance Guide* can be useful in the completion of Travel Vouchers. It provides comprehensive information on travel procedures and the proper classification of travel related expenditures. A current copy of the Guide is available in the Controller's Office or at Travel Website.

**Foreign Currency Conversion**
All amounts listed on the Travel Voucher must be converted to U.S. dollars using the rate applicable on the date of the expenditure. A foreign currency conversion table is available at Travel Website. Documentation of the conversion calculation must be attached to the Travel Voucher.

**Reimbursement Rates – Lodging**

Reimbursement may not exceed the amount of lodging expenses actually incurred at a commercial lodging establishment, subject to maximum allowances stated below. The original itemized lodging receipt, attached to the Travel Voucher, is required.

The State Travel Management Program of the General Services Commission has contracted with several commercial lodging establishments for special rates. The contracted vendors and rates are listed in the *Texas State Travel Directory*, which is distributed to each department. Employees are encouraged to utilize the contracted vendors when possible.

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

**In-State**
Travelers may be reimbursed for the actual cost of lodging, not to exceed the rate designated in the *State of Texas Travel Allowance Guide*. Additionally, they may be reimbursed for local taxes on the allowable lodging cost. **State tax on in-state lodging will not be reimbursed to State employees.** Instead, State employees must submit a completed Texas Hotel Occupancy Tax Exemption Certificate (available from University Printing Services and at Travel Website) to commercial lodging establishments at check-in. Employees should also be prepared to show proof of State employment.

**Out-of-State**
The Texas State Comptroller provides the maximum reimbursement rates for out-of-state lodging. A list of the rates, which is updated from time to time, is available at Travel Website. Within the continental United States, lodging reimbursement is limited to the
locality-based allowance as stated on the list. For cities and counties not included on the list, the allowance is the median rate established for lodging in that state. Applicable taxes on the allowable lodging costs may also be reimbursed. Travelers to Alaska, Hawaii, or a foreign country may be reimbursed for actual, reasonable costs.

If the actual cost of lodging exceeds a locality's lodging allowance, an employee may reduce the maximum meal reimbursement rate for that locality and use the reduction to increase the lodging reimbursement rate for that locality. No such adjustment can be made to increase the maximum meal reimbursement rate.

Shared Lodging
When two or more employees share lodging, each employee must pay and claim his prorated share of the cost. The University will reimburse each employee his share of the lodging expense, not to exceed the applicable maximum lodging reimbursement rate. A list of names of those sharing the same room should be attached to each Travel Voucher. If only one of the individuals sharing lodging is an employee, then the amount that the employee may be reimbursed for lodging expenses is the lesser of the single occupancy room rate or the maximum lodging reimbursement rate.

Reimbursement Rates – Meals

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

Meal expenses with overnight stay are reimbursed on a per diem basis, as follows:

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<thead>
<tr>
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<th>IN-STATE</th>
<th>IN- &amp; OUT-OF-STATE</th>
<th>OUT-OF-STATE**</th>
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<tbody>
<tr>
<td></td>
<td>With Overnight Stay</td>
<td>Without Overnight Stay*</td>
<td>With Overnight Stay</td>
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<tr>
<td>Breakfast</td>
<td>$6.50</td>
<td>$6.50</td>
<td>17% of locality-based allowance</td>
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<tr>
<td>Lunch</td>
<td>$11.50</td>
<td>$11.50</td>
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<tr>
<td>Dinner</td>
<td>$18.00</td>
<td>$18.00</td>
<td>50% of locality-based allowance</td>
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<td>TOTAL</td>
<td>$36.00</td>
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<tr>
<th></th>
<th>IN-STATE</th>
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<tbody>
<tr>
<td>Breakfast</td>
<td>$5.00</td>
<td>17% of locality-based allowance</td>
</tr>
<tr>
<td>Lunch</td>
<td>$10.00</td>
<td>33% of locality-based allowance</td>
</tr>
<tr>
<td>Dinner</td>
<td>$15.00</td>
<td>50% of locality-based allowance</td>
</tr>
<tr>
<td>Total</td>
<td>$30.00</td>
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</tbody>
</table>

* Reimbursement without overnight stay is allowed if official travel requires the employee to be at least 50 miles from his designated worksite for at least six (6) consecutive hours during the calendar day. Internal Revenue Service rules (Publication 463) state "you cannot deduct the cost of meals if it is not necessary for you to stop for sleep or rest to properly perform your duties." Therefore, all reimbursement for meals.
without overnight stay is taxable to the employee. The reimbursement will be paid monthly in the employee’s regular payroll check, and taxes will be withheld.

**Within the continental United States, meal reimbursement is limited to the locality-based allowance (list available at Travel Website) provided by the Texas State Comptroller. For cities and counties not included on the list, the allowance is the median rate established in that state for meals. Travelers to Alaska, Hawaii, or a foreign country may be reimbursed for actual, reasonable costs.

Meals are reimbursable for travel during the following time periods:

- **Breakfast Travel** includes 6:00 a.m. - 8:00 a.m.
- **Lunch Travel** includes 11:30 a.m. - 1:30 p.m.
- **Dinner Travel** includes 6:00 p.m. - 8:00 p.m.

The traveler must be away from his designated worksite on official business the entire time period to be eligible for per diem for that meal.

Meal expenses without overnight stay are reimbursable, not to exceed $25.00 per day. Such reimbursement is allowed if official travel requires the employee to be at least 50 miles from his designated worksite for at least six (6) consecutive hours during the calendar day. Meal expenses without overnight stay are reimbursed on a per diem basis, as follows:

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<tbody>
<tr>
<td>Breakfast</td>
<td>$ 4.25</td>
</tr>
<tr>
<td>Lunch</td>
<td>$ 8.25</td>
</tr>
<tr>
<td>Dinner</td>
<td>$12.50</td>
</tr>
<tr>
<td>Total</td>
<td>$25.00</td>
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</table>

Internal Revenue Service rules (Publication 163) state “you cannot deduct the cost of meals if it is not necessary for you to stop for sleep or rest to properly perform your duties.” Therefore, all reimbursement for meals without overnight stay is taxable to the employee. The reimbursement will be paid monthly in the employee’s regular payroll check, and taxes will be withheld.

The daily reimbursement rate for meals is established by the State legislature and is subject to change. When such change occurs, the University will adopt the new rate on the effective date.

Additional guidelines for meal reimbursement:

- Some registration fees include meals. In this case, the registration fee is fully reimbursable but the employee must not claim per diem for the included meal, according to the applicable rates above.
- Meals purchased for the traveler by another person or entity are not reimbursable. In this instance, the employee must not claim per diem for that meal, according to the applicable rates above.
Appendix 2

In the case of employees traveling together, each must pay and claim his own expenses. Receipts are not required except for meal expenses for group travel. In this case, the sponsor/advisor must provide documentation of how the funds were expended. The sponsor/advisor should contact the travel manager in the Controller's Office in advance of the trip for instructions.

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

Subject to the other provisions of this policy, meals and lodging expenses may be reimbursed for travel expenses to/from the duty point and prior to/after conducting official business. This is only as necessary, and generally limited to no more than one day before/after the business event, unless it is financially beneficial to the University (e.g., when discounted airfare requires Saturday night stay and the additional expenses incurred (hotel/meals/transportation) would not exceed the airfare savings). In these instances, the total net savings must be documented and attached to the Travel Voucher.

**Reimbursement Rates – Mileage**

The number of reimbursable miles traveled by an employee may not exceed the number of miles of the most cost-effective route. The shortest route between points, including the use of all farm-to-market roads, is presumed to be the most cost-effective route. The *Texas Comptroller of Public Accounts Mileage Guide* (available at Travel Website) calculates the mileage between two locations. When both locations are in the Mileage Guide database, the employee may be reimbursed for either the number of miles (1) calculated by the Mileage Guide or (2) calculated by the employee’s odometer. When one or both locations are not in the Mileage Guide database, the number of reimbursable miles is calculated by the employee’s odometer. Mileage determined by use of the employee’s odometer must be itemized on a point-to-point basis on the Travel Voucher. Any vicinity mileage at the destination location must also be itemized separately on a point-to-point basis. For the purposes of this paragraph, "point" means a building, house, highway intersection, or other similarly localized spot.

The reimbursement rate for use of an employee’s personal vehicle is established by the *Board of Regents and the State legislature*. That rate is the maximum amount allowed specified in the *State of Texas Travel Allowance Guide* (available in the Controller's Office or at Travel Website) or as updated by the Texas State Comptroller.

**Four-Per-Car-Rule**

Coordination of travel must occur when two, three, or four employees travel on the same dates with the same itinerary to conduct the same official State business. When coordination of travel is required, only one employee may be reimbursed for mileage.

**Reimbursement Rates - When Representing the University President**
If the President is unable to attend a meeting or conference, the President may designate, on an individual trip basis, one employee as a representative to travel. Under this provision, the employee is reimbursed for actual expenses, not to exceed twice the maximum allowance rates for lodging and meals specified by this policy. The Travel Voucher must be accompanied by the original designating document from the President. Receipts are required as specified in this policy, and the employee may only claim his own expenses.

Registration Fees

The registration fee for attendance at a professional meeting is reimbursable if the fee was approved on the Travel Request. The fee must be shown as a miscellaneous expense on the Travel Voucher, with the original receipt attached.

Attendance at in-town conferences does not require a Travel Request. Employees may be reimbursed for in-town registration fees by submitting a completed Travel Voucher, as they would for any other travel reimbursement. The description should indicate that the conference was in Nacogdoches.

Some registration fees include meals. In this case, the registration fee is fully reimbursable but no additional amount can be claimed for the included meals.

Prepayment of Registration Fees by University

When requested, the University will prepay the registration fee for official business conferences and seminars. If the meeting is held out-of-town, the employee must first obtain approval to travel by submitting a Travel Request showing the registration fee as an estimated cost of the trip. Additionally, a completed Purchase Voucher (available from University Printing Services and at Travel Website) and registration form must be submitted to the Controller's Office well in advance of the payment due date.

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

Airline Ticket Purchases

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

The State Travel Management Program of the General Services Commission has contracted with several airlines to provide special airfare rates for certain flights. A listing of the flights and rates is available at Travel Website.

Employees are encouraged to make flight reservations at discounted fares. Often this requires that the ticket be purchased well in advance of the travel date. Upon approval of the Travel Request, employees may make the airfare purchase personally or have it charged to the University, using the following procedures:
Appendix 2

An employee who personally pays for his airline ticket may request reimbursement in advance of the trip by completing the Travel Voucher and attaching the receipt which shows passenger name, date of travel, date of purchase, price and destination. An employee wishing to charge an airline ticket directly to the University must submit an Airfare Billing Form (available from University Printing Services) to the Controller’s Office. After approval, the employee must present the signed form to a local participating travel agency (list available at Travel Website). The travel agency will book the flight and charge the expense to the University rather than to the employee.

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

Use of Non-University Owned Vehicle While on Official Business

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

Motor Vehicle Rentals

If approved on the Travel Request, most expenses of renting a motor vehicle are reimbursable. The daily rate, applicable taxes, and other mandatory charges are reimbursable. An additional driver charge is reimbursable if it is incurred for an official State business reason. Also, collision damage waiver and loss damage waiver expenses are reimbursable if they are not already included in the contracted rate (see next paragraph). The following expenses are not reimbursable: liability insurance supplement; personal accident insurance; safe trip insurance; personal effects insurance.

The State Travel Management Program of the General Services Commission has contracted with several vehicle rental agencies to provide special rental rates. Most rates include unlimited free mileage, free loss damage waiver, and free primary liability coverage. University employees traveling on official State business are encouraged to use these contracted rates when possible. A listing of the agencies and rates is available at Travel Website.

A detailed receipt from the motor vehicle rental company, attached to the Travel Voucher, is required for reimbursement of motor vehicle rental expenses.

Incidental Expenses

Expenses for ground transportation such as taxi, limousine, subway, bus and other modes of mass transit are reimbursable, subject to the provisions of this section. All expenses must be listed on the approved Travel Request and Travel Voucher. Limousine expenses are reimbursable if it was the least costly transportation available considering all relevant circumstances. If two or more State employees share a taxi or limousine, it is allowable
for one employee to pay and be reimbursed for that full expense. Other official business expenses (e.g., parking, telephone calls, and copy services) are also reimbursable.

Receipts are requested, but not required, for reimbursement of these incidental expenses. If receipts are not provided, an explanation of the reimbursable expenses must be detailed on the Travel Voucher (including type of expense, date, amount and location).

The following are not reimbursable: expenses of a personal nature; expenses that would be incurred by the employee regardless of official State business travel; tips and gratuities.

Student and Other Group Travel

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

When a non-employee group, such as a student group, travels together, it may be more convenient for one person to pay and claim expenses of the entire group. In this case, the person paying the expenses will be responsible for submitting the Travel Request and the Travel Voucher. Receipts are required for all expenses of group travel, except meals. However, the sponsor/advisor must provide documentation of how the funds were expended for meals. The sponsor/advisor should contact the travel manager in the Controller's Office in advance of the trip for instructions. Additionally, a list of names of all travelers must be attached to the Travel Request and Travel Voucher.

If the group sponsor/advisor is an employee, he may request advance travel funds to pay expenses for the group (refer to the Advance Travel Funds section of this policy for procedures). The sponsor/advisor will be solely responsible for claiming reimbursement on the Travel Voucher, and for repayment of the advance travel funds. Sponsors/advisors of group travel are encouraged to contact the travel manager in the Controller’s Office prior to the trip for helpful record-keeping tips.

No Educational and General Funds (account numbers 1-XXXXX) may be used to pay or reimburse travel expenses for students. All other provisions of this policy apply to student travel.

Prospective Employees

All provisions of this policy apply to prospective employees. Additional methods of payment are available to pay expenses incurred during the interview process and are listed on the Travel Request-Prospective Employee form (available at Travel Website).

Non-Reimbursed Travel

A travel request is required for any out-of-town University-related travel even if travel expenses are not reimbursed. Examples include travel:
for which University funds are not approved; for which the traveler does not request or expect reimbursement; or which has been paid by another source.

In any event of absence from class, the instructor is not to dismiss class but is to arrange for an appropriate replacement. Moreover, only in extraordinary situations will travel be approved that will result in the instructor missing the same class more than twice in succession. Faculty members requesting to leave campus for travel that is not university-related should notify their department chair and dean; if the absence will be for a day or longer, faculty should file a leave of absence request but do not need to file a travel request.

**Source of Authority:** Texas State Comptroller; Vice President for Business Affairs Finance and Administration; State Travel Management Program of the General Services Commission; Internal Revenue Service; Provost and Vice President for Academic Affairs

**Cross Reference:** Intercollegiate Athletics Policy Manual; State of Texas Travel Allowance Guide; Texas State Travel Directory; Internal Revenue Service, Publication 463; Texas Comptroller of Public Accounts Mileage Guide

**Contact for Revision:** Controller

**Forms:** Travel Request, Travel Voucher, Texas Hotel Occupancy Tax Exemption Certificate, and Purchase Voucher (all available from University Printing Services and at Travel Website); Report of State Agency Travel to Washington, DC and Travel Request-Prospective Employee (both available at Travel Website); Corporate Travel Charge Card Application (available from travel manager in Controller’s Office); Airfare Billing Form (available from University Printing Services)

Questions regarding the preparation of forms mentioned in this policy should be directed to the Controller’s Office.
Appendix 2

Appearances Before the Board of Regents

Original Implementation: January 19, 1988

Last Revision: July 14, 2005 October 20, 2005

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

Requests to address the Board: Requests to appear before the Board to make comments on a specific agenda item must be received by the Assistant to the Board in writing no later than twenty-four (24) hours before the Board meeting at which the individual wishes to speak. The request should set out clearly the nature of the subject matter to be presented relating to a specific Board agenda item. In making a request to appear before the Board, individuals must give their names and any relevant title or affiliation. Comments regarding non-posted agenda items may be submitted to the Assistant to the Board in writing, at any time, for distribution to the Regents.

Time allocation: The Board will allow up to twenty (20) minutes for public comment per agenda item. An individual speaker will be permitted three (3) to five (5) minutes for a presentation. The Board will allow a total of up to ninety (90) minutes for public comments per regular quarterly meeting. Copies of speakers' comments, and/or other written materials for distribution to the Board of Regents will be accepted. Public comments will take place during the scheduled public comment period at the beginning of each regular quarterly meeting.

Other meetings: While a specific period for public testimony will be limited to the regular quarterly meetings, written comments are welcome for any scheduled meeting of the Board of Regents. Forward one copy of your comments to the Assistant of the Board for distribution to the Regents.

Scheduling of speakers: When the number of requests to address the Board at a given session and for a specific agenda item exceeds the time available, requests will be approved based on the order the written request was received by the Assistant to the Board. If, by virtue of time or other constraint a speaker is not able to present his/her comments, said comments will be accepted and distributed to the Board of Regents at the meeting.
Special Requests: Special requests to appear before the Board for comments at times other than the regular quarterly meetings can be submitted to the Assistant to Board for consideration by the Chair of the Board of Regents.

Source of Authority: Board of Regents Rules and Regulations; Texas Education Code, Chapter 51, Section 51.355

Cross Reference: None

Contact for Revision: President

Forms: None
Emergency Management Plan

Original Implementation: November 1986
Last Revision: January 28, 2003 October 20, 2005

An Emergency Management Plan has been adopted to guide the response of appropriate individuals to potential emergencies occurring on the campus of Stephen F. Austin State University.

A. AUTHORITY AND REFERENCES

1. Authority for implementation of the Emergency Management Plan rests with the President of Stephen F. Austin State University.

2. References
   Article 51.210 and Article 51.203 of the Texas Penal Code.
   The Texas Emergency Disaster Act of 1975, as amended (Article 6889-7, Vernon’s Civil Statutes).

B. PURPOSE

The Emergency Management Plan is intended to establish policies, procedures, and organizational structure for response to emergencies that are of sufficient magnitude to cause a significant disruption of the functioning of all or portions of SFASU. This plan describes the roles and responsibilities of departments, schools, units and personnel during emergency situations. The basic emergency procedures are designed to protect lives and property through effective use of University and community resources. Since an emergency may be sudden and without warning, these procedures are designed to be flexible in order to accommodate contingencies of various types and magnitudes.

This plan addresses each type of emergency on an individual basis, providing guidelines for the containment of the incident and provides emergency instructions to the individual designated to direct University resources in a concise format. It will also provide emergency response information primarily for use by faculty/staff and other on-site personnel who may be initial responders to an emergency incident.

The purpose of this plan is to provide the necessary guidelines, procedures, and instructions for implementing emergency operations at SFASU. Emergency
Appendix 2

operations will utilize the existing University organizations, with aid as necessary from city, state, and federal governments.

C. SCOPE

This plan is a university-level plan that guides the emergency response of university personnel and resources during and after an emergency situation. It is the official Emergency Management Plan of SFASU and precludes actions not in concert with the intent of this plan or the organization created by it. However, nothing in this plan shall be construed in a manner that limits the use of good judgment and common sense in matters not foreseen or covered by the elements of the plan.

This plan and organization shall be subordinate to federal, state, or local plans during a disaster declaration by those authorities. This plan is consistent with established practices relating to coordination of emergency response. Accordingly, this plan incorporates the use of the Incident Command System (Emergency Operation Center) to facilitate interagency coordination, promote the use of common emergency response terminology and command structure, and facilitates the flow of information between responding agencies.

The University will cooperate with the Office of Emergency Management, State, County and City Police and other responders in the development of emergency response plans and participate in multi-jurisdictional emergency planning exercises.

This plan constitutes the general guidelines for personnel of the University and for such other departments or individuals as may come under the direction and control of the University while engaged in activities intended to mitigate the harmful effects of accidents or natural disasters. Further, this plan provides guidelines for response to such occurrences.

This plan is intended to stand alone or to complement other plans and provisions of the Texas Emergency Management Council and of local government. Provisions of this plan that are not specific to the activities of the University, have been included for purposes of clarity and their presence here is not intended to supersede or abrogate the provisions of the Texas Emergency Disaster Act of 1975.

D. MISSION

The University will respond to an emergency situation in a safe, effective, and timely manner. University personnel and equipment will be utilized to accomplish the following priorities:

Priority I: Protection of Human Life
Priority II: Support of Health & Safety Services
Priority III: Protection of University Assets
Priority IV: Maintenance of University Services
Priority V: Assessment of Damages
Priority VI: Restoration of General Campus Operations

E. SITUATIONS AND ASSUMPTIONS

1. Situations:
The University is an autonomous community of approximately 13,000 people surrounded by a city of approximately 30,000. The University is responsible for providing law enforcement and internal distribution of utility services to the University community on a day-to-day basis.

2. Assumptions:
This Emergency Management Plan is predicated on a realistic approach to the problems likely to be encountered during a major emergency or disaster. Hence, the following assumptions are made and should be used as general guidelines in such an event:
An emergency or a disaster may occur at any time of the day or night, weekend, or holiday, with little or no warning.
The succession of events in an emergency or disaster is not predictable; therefore, published operational plans, such as this plan, should serve only as a guide and a checklist, and may require modifications in order to meet the requirements of the emergency.
An emergency or a disaster may be declared if information indicates that such conditions are developing or probable.
Disasters may be community-wide. Therefore it is necessary for the University to plan for and carry out disaster response and short-term recovery operations in conjunction with local resources. The University may however be dependent upon its own personnel and resources in the interval prior to the arrival of help from the usual sources.
A. The University is more knowledgeable about its facilities than are other agencies.
B. In the event of a disaster, the University may be dependent upon its own personnel and resources in the interval prior to the arrival of help from the usual sources.
C. In the event that the University is not affected by the primary disaster, its personnel and resources may be available to supplement and support local services.

F. DIRECTION AND CONTROL

1. Routine organization (See University Organizational Chart.)

2. The organization of the Emergency Operation Center (EOC) will vary from the routine structure as follows:
The location of the primary EOC will be designated by the Director of the EOC upon activation of this plan after consideration of the nature of the emergency.

The secondary EOC may be in the University Police Department.
Appendix 2

The EOC Director will be designated by the President of the University and he, or his designee, must be present in the EOC as long as the plan is activated. He will serve as the official source of information to the University response personnel and will represent the University in the coordination of activities with other agencies. To aid the EOC Director, representatives of those who are assigned responsibilities in Section VI will be present in the EOC, as needed, to record and document incoming information and to dispatch information to the appropriate personnel. The EOC staff will coordinate requests for service and assignment of resources.

3. Warning and Notification

This plan will be implemented by the President of the University when information is received from a credible source concerning a potential or actual disaster that requires a positive response by the University. In the absence of the President, the provisions of the President’s Line of Succession, in section H of this policy will determine the line of authority applicable to the implementation of this plan. Information received shall be verified and evaluated to determine the response required and the division having responsibility for such action. The individual who evaluates the information must have a thorough understanding of the capabilities and responsibilities of each department of the University. An up-to-date listing of persons to be notified during duty hours, after duty hours, weekends, and holidays shall be available to the University Police Department dispatcher. The prioritized list of individuals to be called will consist of a name and at least two alternate names along with office and home phone numbers. Changes in the list shall be submitted to the Chief of the University Police Department (UPD).—The notification procedure is as follows:

The UPD will maintain the callout list and make the initial notification.

The UPD will initially dispatch personnel as necessary until the EOC is established, then control will shift to the Director of the EOC who is responsible for emergency management.

Major problems will be reported to the EOC.

4. Public Information

All public information shall be provided by or coordinated with the Director of Public Information. The designation of a single University spokesperson provides a single point of contact for persons seeking information and provides a single point through which information is released.

G. ASSIGNMENT OF RESPONSIBILITIES

1. University President

The President or his designee is the Director of the Emergency Operation Center and shall be responsible for delegating duties to the other staff members as the emergency situation dictates.
2. University Police Chief
The Police Chief is responsible for furnishing and directing the manpower necessary to maintain security in the affected areas. He/She will maintain traffic control, preserve law and order, direct search and rescue operations, and provide communication between the scene of the emergency and the EOC.

3. Director of the Physical Plant
The Director of the Physical Plant is responsible for coordinating requests for supplies and personnel and for making deliveries to the emergency area. He/She will discontinue and restore utility services as conditions dictate, clear debris, and restore buildings to functional use, when it is determined that the buildings are safe.

4. Director of Auxiliary Services
The Director of Auxiliary Services is responsible for providing meals for students and other University personnel as conditions dictate and will coordinate the use of their facilities as directed by the President or his designee.

5. Director of the University Health Clinic
The Director of the University Health Clinic is responsible for determining the medical needs, arranging for emergency medical supplies, and the establishment of First Aid Stations in or near the affected area, but clear of immediate danger.

6. Director of University Public Information
The Director of Public Information is responsible for the timely and accurate dissemination of information to the news media. He/She will establish an emergency telephone information center to inform students' parents as necessary, and arrange for photographers to document the disaster.

7. University Safety Officer—Director of Environmental Health, Safety and Risk Management
The Director of Environmental Health, Safety and Risk Management Department University Safety Officer is responsible for providing the Director of the EOC with specific information about facilities and existing conditions relating to the emergency. He/She will work with the city fire department and University police when evacuation is warranted. He/She will assure facilities and buildings are safe before they are restored to service or occupied.

8. Hazardous Materials Officer
The Director of Hazardous Materials Control Officer is responsible for providing the Director of the EOC with information about locations of hazardous and toxic materials on campus, and to serve as consultant to the Director of the EOC. The Radiation Safety Officer will monitor radiation sources and report to the Hazardous Materials Officer.
9. Director of Housing
The Director of Housing will be responsible for the relocation and housing of students.

H. LINE OF SUCCESSION

To insure continuity of University activities during threatened or actual emergencies, the following line of succession for EOC command is established as follows:

Vice President for University Affairs
Vice President for Business Affairs
Vice President for Finance and Administration
Vice President for Academic Affairs
Vice President for University Advancement

A list of the Line of Succession for the other positions on the EOC staff will be provided by the appropriate Directors and be appended to the emergency callout list.

I. SUPPORT

Request for assistance, including activation of the Texas National Guard or other military assistance, will be made by calling the State Disaster District Headquarters located at the Department of Public Safety Disaster District Headquarters, Region Sub 2B Office in Lufkin, telephone (936) 634-5553. In the event that the State Disaster District Headquarters cannot be reached, the request for assistance can be made to the local Department of Public Safety Supervisor, telephone (936) 560-6528.

J. OUTDOOR WARNING SIREN

1. Locations
   - Sunset Cemetery on North Street
   - Fire Station 1 on North Street
   - Baseball Park on Old Tyler Road
   - Durst Street @ Reedy Street
   - Fire Station 3 on Old Lufkin Road
   - Temple Park on Martin Luther King
   - Center Highway @ East Oak Lane
   - Stephen F. Austin Maintenance Facility
   - Fire Station 4 @ Nacogdoches High School
   - Power Street Pump Station

2. Sirens tested 1st Monday-Wednesday of the month at noon.

3. Sirens sounded if the city is to be impacted by:
   - A Severe Thunderstorm and warning by National Weather Service is placed
   - A Tornado Warning is issued by National Weather System and the City is in its path
A flooding situation and the Emergency Operation Center Team feel that a warning should be issued.

A hazardous materials event has placed a section of the community in danger.

4. Procedure

K. EMERGENCY ACTIONS

The various types of disasters, related terms, and an outline of general actions are defined for each threat. Each stage of a potential disaster is assigned a condition status number as follows:

1. **Condition 4** will refer to normal operating conditions when daily work routine is not interrupted by disaster or impending emergency situations. No action is necessary.

2. **Condition 3** will refer to a severe weather watch established by the U.S. Weather Service. Such a WATCH may be issued for any of the following conditions:
   - **Tornado Watch**: Conditions are favorable for tornado formation. The action is to maintain daily routine, notify the appropriate department heads of conditions, and be ready to respond to a warning.
   - **Severe Thunderstorm Watch**: Atmospheric conditions exist such that severe thunderstorms may develop. The action is to maintain daily routine, notify the appropriate department heads of conditions, and be ready to respond to a warning.
   - **Flood Watch**: Conditions are favorable for rising waters. The action is to maintain daily routine, notify the appropriate department heads of conditions, and notify Physical Plant.

3. **Condition 2** will refer to severe weather warnings as issued by the U.S. Weather Service and relayed by local radio and TV stations. Such WARNINGS may be issued for any of the following conditions:
   - **Tornado Warning**: A tornado has been sighted or seen on radar. The action is to notify EOC personnel and place them on alert status. Maintain the daily routine and notify the appropriate departments to take such action as is required.
   - **Severe Thunderstorm Warnings**: Severe thunderstorms have been sighted visually or on radar. The action is to maintain the daily routine and notify the appropriate departments to take such action as is required.
   - **Flood Warning**: Conditions are such that waters may exceed a safe control level. The action is to maintain the daily routine and notify the appropriate departments to barricade areas of possible flooding.

4. **Condition 1** indicates any of the following conditions:
   - A tornado strikes
   - Flash flooding
A major accident or a disaster, man made or natural, occurs without warning
A major fire
An explosion
An electrical blackout

The EOC is activated and all department heads are notified. The EOC members will report to the center. All other department heads will follow their standard operating procedures. It is imperative that all actions taken or anticipated by any department be coordinated with the EOC.

I. THE POST-DISASTER ACTIONS WILL CONSIST OF THE FOLLOWING:

Check and/or re-establish communications.

Maintain law and order.

Perform fire protection and rescue operations.

Set up triage stations if necessary and assure acceptable health conditions.

Assess extent of damage.

Perform emergency clean-up and debris removal.

Request outside assistance as required.

Establish controls on critical resources and direct their distribution when necessary.

Designate restricted areas as necessary.

Furnish regular status reports to the State Department of Public Safety Disaster District Headquarters, Region Sub 2B in Lufkin, telephone (936) 634-5553, as appropriate.

Keep the public informed of conditions. Utilize photographers to document extent of disaster.

Insure orderly operations of shelters, provide welfare necessities to the extent possible, and direct all shelter operations.

Conduct radiological monitoring and notify "Chemtrec" (1-800-424-9300) if a hazardous material disaster occurs.

Examine the disaster area for life safety hazards and assure that precautions are taken to protect personnel until normal operations are established.
M. Chemical Spills and Emergencies

Chemical Spill Plan will comply with the requirements of 29 CFR 1910.120. Basic emergency equipment and supplies to absorb and neutralize materials will be readily available.

1. Material Safety Data Sheets will be available on each chemical.

2. Small non-toxic spills
   1. Identify chemical
   2. Neutralize if necessary
   3. Solids will be swept into a container that will not react for storage by individuals familiar with properties of chemical.
   4. Liquids will be absorbed by a material for chemical clean-up and stored by individual familiar with properties of chemical.
   5. Proper disposal

3. Hazardous Spills
   a) Area will be evacuated and monitored
   b) Identify chemical
   c) Neutralize if possible
   d) Contact "Chemtree" (1-800-424-9300)
   e) Contact Emergency Response Team
   f) Proper disposal by contracted company

N. Implementation

Source Of Authority: Texas Government Code sec. 418.001 et seq.; Texas Education Code sec. 51.201 et seq.; The Texas Emergency Management Plan, Annex L - Texas Department of Health; President


Contact For Revision: University Safety Officer Director, Environmental Health, Safety, & Risk Management

Forms: None
Naming Guidelines

Original Implementation: January 23, 1971

Last Revision: January 25, 2000, October 20, 2005

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

Capital campaign fundraising, which results in an increase in potential naming activity, creates special naming opportunities. Listed below are minimum dollar amounts associated with campaign fundraising necessary for naming consideration:

<table>
<thead>
<tr>
<th>Name of entity</th>
<th>Minimum Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>One of the seven colleges within the University</td>
<td>$5,000,000</td>
</tr>
<tr>
<td>A department or school within a college</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>An institute or center within a college</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>Any existing, unnamed building</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>An endowed academic chair in any discipline</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>An endowed distinguished professorship</td>
<td>$250,000</td>
</tr>
<tr>
<td>An endowed professorship</td>
<td>$100,000</td>
</tr>
<tr>
<td>An endowed full-tuition scholarship</td>
<td>$100,000</td>
</tr>
<tr>
<td>Minimum for any named endowed fund</td>
<td>$10,000</td>
</tr>
</tbody>
</table>

The Board of Regents retains the latitude to create alternate naming opportunities within the discretion of the Board.

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

A plaque shall be placed on each new building. The plaque shall show the names of the Board of Regents in alphabetical order, and the names of those occupying the following positions on the date of the contract award: the Chairman of the Board of Regents, the
President of the University, the Vice President for Business Affairs, Finance and Administration, the Vice President(s) for the area involved, the Director of Physical Plant, the architect and the contractor, together with the year the contract is awarded.

Source of Authority: Board of Regents Rules and Regulations

Cross Reference: None

Contact for Revision: President

Forms: None
Ethics

Original Implementation: August 8, 1995

Last Revision: October 14, 2004

General Policy Statement

It is the policy of Stephen F. Austin State University that all officers and employees maintain high ethical standards in the performance of their official duties. The following guidelines regarding state ethics laws for state employees are applicable to the Board of Regents, the administration, faculty and staff of the University. Other University policies that affect ethical standards include but are not limited to: Policy E-46 Discrimination Complaints/Sexual Harassment; Policy E-12 Dual Employment; Policy E-33 Nepotism; Policy C-33 Purchasing Ethics and Confidentiality C-33; Policy C-46 Fraud-Policy C- 46Policy E-15 Employee Conduct; Policy E-11 Discipline and Discharge.

Ethics Laws for State Officers and Employees

As a State officers and employees, you owe a responsibility to the people of Texas in the performance of your official duties. See Government Code §572.001. High institutional standards and high personal standards are critical to fulfilling that responsibility. There are a variety of both civil and criminal statutes that set out the ethical responsibilities of state officers and employees. The Texas Ethics Commission is charged with interpreting, issuing advisory opinions, and enforcing certain ethics laws including Chapter 572 of the Government Code and Chapters 36 and 39 of the Penal Code. Those statutes contain provisions relating to conflicts of interest, bribery, gifts, official misconduct, and misuse of state property, among other things. Additionally, §556.004 of the Government Code contains a list of prohibited acts of agencies and individuals with regard to political activity. A variety of other Texas statutes contain specific ethics provisions applicable to state employees and officers. All employees and officers are required to abide by applicable state and federal laws and regulations regardless of whether they are specifically stated in this policy. Contact the General Counsel for questions and advice.

1. Conflicts of Interest, Bribery and Gifts

While the law regarding conflicts of interest may be legally complex, §572.051 of the Government Code outlines standards for state officers and employees, which if followed, should prevent most conflicts of interest from occurring. §572.051 does not provide any penalties or sanctions at law for failure to comply with the standards it sets, though in cases of egregious noncompliance a person’s behavior could constitute a crime under one of the Penal Code provisions governing the conduct of state officers and employees.
The acceptance of gifts by state officers and employees is addressed in §572.051(1), which provides that a state officer or employee should not accept or solicit any gift, favor, or service that might reasonably tend to influence the officer or employee in the discharge of official duties or that the officer or employee knows or should know is being offered with the intent to influence the officer's or employee's official conduct.

This simply means that you a state officer or employee should never accept anything if it might make your job differently, or if you think the person giving it to you has the hope that you will do your job differently. Section 572.051(5) provides, in effect, a "no tipping" rule for state officers and employees. It states that a state officer or employee should not intentionally or knowingly solicit, accept, or agree to accept any benefit for having exercised the officer's or employee's official powers or performed the officer's or employee's official duties in favor of another.

For most state employees, compliance with §571.051(1) and (5) eliminates worry about compliance with either the Penal Code or the lobby law with respect to the acceptance of gifts.

Section 571.051(2), (3), and (4) states that as a state officers and employees you should not engage in economic activities even on your own time that might affect decisions at your state job, or that might lead you to disclose confidential information learned on the job. Simply put, you state officers and employees should not engage in business or investments that might make them want to do their state job differently.

Section 571.051(2), (3) and (4) of the Government Code specifically reads as follows:

(2) No state officer or state employee should accept employment or engage in any business or professional activity which might reasonably be expected to require or induce a disclosure of confidential information acquired by reason of the official position.

(3) No state officer or state employee should accept other employment or compensation that could reasonably be expected to impair independent judgment in the performance of official duties.

(4) No state officer or state employee should make personal investments that could reasonably be expected to create a substantial conflict between the officer's or employee's private interest and the public interest.
The Texas Penal Code also includes provisions regarding conflicts of interest, bribery and gifts. As a state employee, you commit the offense of bribery if you solicit, offer, or accept a "benefit" in exchange for your decision, opinion, recommendation, vote, or other exercise of discretion as a state employee. Penal Code §36.02.

Most state employees are subject to a prohibition on the acceptance of "benefits." Penal Code §36.08. For example, an employee of a regulatory agency may not accept a benefit from a person the employee "knows to be subject to regulation, inspection, or investigation by the public servant or his agency." Id. §36.08(a). Also, an employee of a state agency who exercises discretion in connection with contracts, purchases, payments, claims, or other pecuniary transactions may not accept a benefit from a person the employee knows is "interested in or likely to become interested in any contract, purchase, payment, claim, or transaction involving the exercise of his discretion." Id. §36.08 (d). These prohibitions apply regardless of whether the donor is asking for something in return.

The statutory definition of "benefit" is "anything reasonably regarded as pecuniary gain or pecuniary advantage." Penal Code §36.01(5). In advisory opinions, the Ethics Commission has stated that the following gifts may be benefits: a $50 clock, a hotel room, a hunting trip, football tickets, a $160 rifle, and a $60 restaurant meal. Ethics Advisory Opinions Nos. 97, 94, 90, 69, 60 (1992). Benefits such as food, lodging, transportation, football tickets, etc., may however be permissible if accepted as a "guest." Penal Code §36.10(b). To accept something as a guest, the donor must be present.

Other advisory opinions have concluded that certain items are not benefits. A cup of coffee is not a benefit. Ethics Advisory Opinion No.118 (1993). Small amounts of perishable food delivered to government offices are generally not benefits. Ethics Advisory Opinion No. 62 (1992). Trinkets of minimal value such as coffee mugs, key chains, and "gimme" caps are generally not benefits. Ethics Advisory Opinion No. 61 (1992). A plaque is not a benefit. Ethics Advisory Opinion No. 36 (1992). Of course, you a state officer or employee may accept a gift from a person such as a friend, relative, or business associate with whom he has a relationship independent of that official status if the gift is given on account of that relationship rather than your official status. Penal Code §36.10(b).

Honoraria may also be considered as gifts or benefits under the Penal Code. You A state officer or employee may not solicit, agree to accept, or accept an honorarium in consideration for services you would not have been asked to provide but for your official position. Penal Code §36.07. Thus, for example, the officer or employee you may not take a speaker's fee for speaking in his official capacity. Although questions about honoraria come up most frequently in regard to speeches, the prohibition applies to fees or gifts for any service that you the officer or employee would not have been asked to provide but for his official position. It is permissible to accept food, transportation, and lodging in connection with a speech or other service performed in an official capacity.
2. Official Misconduct and Misuse of State Property

As a state employee, you would commit an offense if, with intent to obtain a benefit or harm another, he intentionally or knowingly violated a law relating to his office or employment. Penal Code §39.01(a)(1). This catchall prohibition applies to any violation of a law relating to the employee's state employment. This means, for example, that a violation of a rider to the Appropriations Act, done with intent to obtain a benefit or harm another, could be the basis of a criminal prosecution.

Also, an officer or employee would commit an offense if, with intent to obtain a benefit or harm another, he misapplied any thing of value belonging to the government that has come into his custody or possession by virtue of his state employment. Penal Code §39.01(a)(2). This provision is the basis for criminal prosecutions regarding the misuse of state property for personal-use or otherwise.

Under Government Code See §552.352, misuse or improper distribution of confidential information is also considered a specific type of crime involving official misconduct.

In addition to criminal liability, employees may be responsible for the negligent loss, damage or destruction to University property under the Property Liability Policy B-34.

3. Financial Disclosure Statements

Regents and the President must file financial disclosure statements with the Texas Ethics Commission by April 30 of each year, or as otherwise required under the Government Code Chapter 572.

4. Prohibited Acts of Agencies and Individuals Regarding Political Activity

The University, its officers and employees may not use state money, equipment or official authority to influence an election as prohibited by §556.004 of the Texas Government Code. Sections 556.004, 556.005, 556.0055, 556.006, 556.007, 556.008, and 556.009 of the Government Code specifically read as follows:

"§ 556.004. PROHIBITED ACTS OF AGENCIES AND INDIVIDUALS. (a) A state agency may not use any money under its control, including appropriated money, to finance or otherwise support the candidacy of a person for an office in the legislative, executive, or judicial branch of state government or of the government of the United States. This prohibition extends to the direct or indirect employment of a person to perform an action described by this subsection.

(b) A state officer or employee may not use a state-owned or state-leased motor vehicle for a purpose described by Subsection (a).

(c) A state officer or employee may not use official authority or influence or permit the use of a program administered by the state agency of which the person is an officer or employee to interfere with or affect the result of an election or nomination of
Appendix 2

§ 556.005. EMPLOYMENT OF LOBBYIST. (a) A state agency may not use appropriated money to employ, as a regular full-time or part-time or contract employee, a person who is required by Chapter 305 to register as a lobbyist. Except for an institution of higher education as defined by Section 61.003, Education Code, a state agency may not use any money under its control to employ or contract with an individual who is required by Chapter 305 to register as a lobbyist.

(b) A state agency may not use appropriated money to pay, on behalf of the agency or an officer or employee of the agency, membership dues to an organization that pays part or all of the salary of a person who is required by Chapter 305 to register as a lobbyist. This subsection does not apply to the payment by a state agency of membership fees under Chapter 81.

(c) A state agency that violates Subsection (a) is subject to a reduction of amounts appropriated for administration by the General Appropriations Act for the biennium following the biennium in which the violation occurs in an amount not to exceed $100,000 for each violation.

(d) A state agency administering a statewide retirement plan may enter into a contract to receive assistance or advice regarding the qualified tax status of the plan or on other federal matters affecting the administration of the state agency or its programs if the contractor is not required by Chapter 305 to register as a lobbyist.


§ 556.0055. RESTRICTIONS ON LOBBYING EXPENDITURES. (a) A political subdivision or private entity that receives state funds may not use the funds to pay:

(1) lobbying expenses incurred by the recipient of the funds;

(2) a person or entity that is required to register with the Texas Ethics Commission under Chapter 305;

(3) any partner, employee, employer, relative, contractor, consultant, or related entity of a person or entity described by Subdivision (2); or

Appendix 2

(4) a person or entity that has been hired to represent associations or other entities for the purpose of affecting the outcome of legislation, agency rules, ordinances, or other government policies.

(b) A political subdivision or private entity that violates Subsection (a) is not eligible to receive additional state funds.

Added by Acts 1999, 76th Leg., ch. 1498, § 1, eff. Sept. 1, 1999.

§ 556.006. LEGISLATIVE LOBBYING. (a) A state agency may not use appropriated money to attempt to influence the passage or defeat of a legislative measure.

(b) This section does not prohibit a state officer or employee from using state resources to provide public information or to provide information responsive to a request.


§ 556.007. TERMINATION OF EMPLOYMENT. A state employee who causes an employee to be discharged, demoted, or otherwise discriminated against for providing information under Section 556.006(b) or who violates Section 556.004(c) or (d) is subject to immediate termination of employment.

Added by Acts 1999, 76th Leg., ch. 1498, § 1, eff. Sept. 1, 1999.

§ 556.008. COMPENSATION PROHIBITION. A state agency may not use appropriated money to compensate a state officer or employee who violates Section 556.004(a), (b), or (c) or Section 556.005 or 556.006(a), or who is subject to termination under Section 556.007.

Added by Acts 1999, 76th Leg., ch. 1498, § 1, eff. Sept. 1, 1999.

§ 556.009. NOTICE OF PROHIBITIONS. (a) A state agency shall provide each officer and employee of the agency a copy of Sections 556.004, 556.005, 556.006, 556.007, and 556.008 and require a signed receipt on delivery. A new copy and receipt are required if one of those provisions is changed.

(b) A state agency shall maintain receipts collected from current officers and employees under this section in a manner accessible for public inspection.

Added by Acts 1999, 76th Leg., ch. 1498, § 1, eff. Sept. 1, 1999."

As required by these statutory provisions, all employees shall receive and sign for (or electronically acknowledge receipt) of a copy of this policy as administered by the University’s Department of Human Resources.
5. Disclosure Statement for Employees Involved in Purchasing, Contracting, and Investments

As required by See: §2262.004 of the Government Code, University personnel who make decisions or recommendations regarding the preparation of a solicitation, evaluation of a bid or proposal, who should be awarded the contract, or contract terms or conditions of a major contract award must disclose in writing to the President on a form prescribed by the State Auditor direct or indirect pecuniary interests (10% interest or $25,000 threshold) or family relationships (nepotism) which that employee may have in the major contract award. A major contract award involves a contract of at least $1 million in value. Use the referenced disclosure form developed by the Office of the State Auditor.

In addition to the specific reporting requirements and thresholds of —See—§2262.004 of the Government Code, University personnel have broader reporting and ethics requirements outlined in the Purchasing Ethics and Confidentiality Policy C-33. Officers and employees also have a legal disclosure requirement to declare any interest in property that is to be acquired by the University as outlined in Government Code Chapter 553.

Investment officers responsible for the investment of public funds under the Public Funds Investment Act, Government Code Chapter 2256, must disclose personal relationships and interests involving investment transactions.

Officers and Employees are encouraged to contact the General Counsel if they have questions or concerns about the applicability of this disclosure form and to disclose possible indirect or direct pecuniary interests which do not meet the minimum threshold limits outlined in these statutory provisions. Disclosure of all possible pecuniary interests in major or non-major contract awards or procurements are required by the Purchasing Ethics and Confidentiality Policy C-33 to avoid other possible conflict of interest concerns. Potential transactions with relatives of employees should also be disclosed to the General Counsel for advice and counsel to initiate measures that avoid any appearances of a conflict of interest.

6. Conflicts of Interest for Officers (Regents)

In addition to the statutory restrictions outlined above or in referenced policies, officers of the University, namely Regents, are held to relatively strict standards for conflicts of interest under law. Conflicts of interest may involve indirect or direct pecuniary interests as established in Texas common law. Specific statutory exceptions have been carved out to allow Regents to recuse themselves from specific actions. Section 572.058 of the Government Code permits Regents to disclose a personal or private interest in a measure, proposal, or decision pending before the board and not participate in board action involving that matter. Section 51.923 of the Education Code allows the University to contract with corporations in which Regents may have certain interests under the following circumstances: 1) nonprofit corporations which may have one or more Regents serving on their Board, 2) corporations with which a Regent holds 5% (or less)
beneficial interest or stock and involve affiliation, licensing or sponsored research, or are contracts which have been subject to competitive bid or competitive sealed proposals. Regents with interests in such measures must recuse themselves from the decision on behalf of the University. Regents should contact the General Counsel on possible conflict of interest matters and disclose to Counsel potential direct or indirect pecuniary interests in matters pending before the Board of Regents. Potential transactions with relatives of Regents should also be disclosed to the General Counsel for advice and counsel to avoid any appearances of a conflict of interest.

7. Nepotism

Officers and employees are reminded that hiring certain close relatives as defined in the University's Nepotism Policy E-33 and/or under state law is prohibited. Refer to the Nepotism Policy E-33.

8. Discrimination and Sexual Harassment

Discrimination and sexual harassment are prohibited by University policy E-46, and also under state and federal law.


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

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

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

§10. Summary

In this age of high ethical standards and unrelenting public scrutiny, it is imperative that all state officers and employees be aware of applicable ethics laws. Texas governmental entities are run under an open government system, and all public officers and employees are subject to review. If you have questions or concerns, should contact the University’s General Counsel. A copy of this policy shall be annually filed with the Texas Higher Education Coordinating Board as required by the General Appropriations Act.


Cross Reference: Policy E-46 Discrimination Complaints/Sexual Harassment, Policy E-12 Dual Employment, Policy E-33 Nepotism, Policy C-33 Purchasing Ethics and Confidentiality, Policy C-46 Fraud, Policy E-11 Discipline and Discharge Policy Discrimination Complaints/Sexual Harassment, E 46, Dual Employment, E-12, Nepotism, E-33, Purchasing Ethics and Confidentiality C-33 Employee Conduct, E-15, Property Liability B-34, Fraud Policy C-46, Discipline and Discharge, E-11, and the Faculty Handbook

Contact for Revision: General Counsel, Board of Regents

Forms: None Disclosure Statement for Purchasing Personnel

Return to Policy & Procedure Main Page
Accessibility for Persons with Disabilities

Original Implementation: Unpublished

Last Revision: July 14, 2005

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

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

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

Requests for employment accommodations for employees with disabilities are submitted to the director of Human Resources for faculty and staff, or to the associate director of Career Services for student employees, who, with assistance from Disability Services and a review committee if needed, makes employment accommodations based on individual need.

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

Requests for specific persons to provide academic accommodations will be given consideration based upon the requested person’s employment qualifications and ability to satisfy uniform quality assurance standards. Persons who are involved in an ongoing relationship with, or are related within the second degree of affinity or the third degree of consanguinity to the student or employee with a disability, as defined by policy E-33, Nepotism, may not receive compensation for providing services to that particular student or employee.
For specific information regarding provision of academic assistance, refer to Policy F-33, Academic Accommodation of Students with Disabilities. For specific information regarding resolution of disagreements, refer to Policy F-34 Appeal Procedure Relating to the Provision of Accommodations for Students with Disabilities. For information regarding discrimination or harassment refer to Policy E-46 Discrimination Complaints/Sexual Harassment. For information on the use of service animals refer to Animals on University Property D-3.


Cross Reference: Appeal Procedure Relating to the Provision of Accommodations for Students with Disabilities F-34; Academic Accommodation of Students with Disabilities F-33

Contact for Revision: Director of Disability Services

Forms: None
RULES AND REGULATIONS
BOARD OF REGENTS
STEPHEN F. AUSTIN STATE UNIVERSITY
(Amended October 20, 2005 July 14, 2005)

1. Composition of Board

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

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

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

2. Non-Voting Student Regent

Annually on February 1, a student regent shall be appointed by the governor to serve a one-year term expiring on the next February 1. The student regent must be enrolled as an undergraduate or graduate student at Stephen F. Austin State University at the time of appointment and throughout the student regent's term.

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

2.3 Office of the Board of Regents

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

3.4 Setting of Meetings

The Board of Regents shall convene annually in Nacogdoches, Texas, in the month of April, which meeting shall be known as the Annual Meeting.
All meetings of the Board shall conform to the terms of the Texas Open Meetings Act, Ch. 551 Tex Gov Code. Regular meetings of the Board shall be held quarterly at such time and place as a majority of the Board shall determine. The Board shall set regular quarterly meeting dates one year in advance, which may be changed by consensus of the Board due to unanticipated needs. Special meetings of the Board may be called by the Chair, or by a majority of the members of the Board. Telephone conference meetings may be called when circumstances dictate that immediate action would be in the best interest of the University or when it is difficult or impossible to convene a quorum in a single location. Telephone conference meetings shall be restricted to special meetings of the Board.

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

A majority of the members of the Board shall constitute a quorum. Proxies shall not be recognized. No formal action shall be taken by the Board in the absence of a quorum.

4.5 Designation of Officers

The Officers of the Board shall include a Chair, a Vice Chair, a Secretary, and such other officers as may from time to time be elected or appointed.

5.6 Election of Chair and Authorization of Duties

At the Annual Meeting of the Board, and as the last order of business, there shall be elected from the membership of the Board a Chair, who shall take office immediately, and shall serve through the next Annual Meeting.

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

In the event of a Chair's death or resignation, the Vice Chair shall serve as Chair of the Board until the next Annual Meeting.

The Chair of the Board shall preside at all meetings of the Board which he/she attends.

He/she will be responsible for the agendas of the meetings of the Board. He/she shall have the authority to call special meetings of the Board, as herein provided. He/she shall be an ex officio member of all committees of the Board. He/she shall deliver to each new Board member immediately upon such person's appointment by the Governor a copy of the Regents' Rules and Regulations and a copy of the organization of principal administrative offices of the University.

Parliamentary procedure in Board meetings will conform to Roberts' Rules of Order Revised when not in conflict with Board rules.

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

6.7 Election of Vice Chair and Authorization of Duties

A Vice Chair shall be elected from the membership of the Board immediately following the election of a Chair and shall take office upon election as the last order of business and shall serve through the next Annual Meeting.

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

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

In the event of the death, resignation, or assumption of Chair duties by the Vice Chair, the Secretary shall serve as Vice Chair until the next Annual Meeting.

7.8 Election of Secretary and Authorization of Duties

The Board shall select a Secretary from the membership of the Board, immediately following election of a Vice Chair, who shall take office at the end of the Annual meeting and who shall serve through the next Annual meeting. The Secretary shall ensure that preparation for all meetings of the Board, including such notices as required by law are made. The Secretary shall attend all open meetings of the Board and ensure that accurate records of all open meetings are kept. He/she shall ensure that all parties affected by the actions of the Board are notified. He/she shall provide oversight to the Assistant of the Board who shall be responsible for all records of the Board and all documentary files thereof. He/she shall ensure that the Assistant to the Board keep the official copy of the Regents' Rules and Regulations. Said copy shall contain all current rules and regulations as set by the Board of Regents. Any changes or additions thereto shall be entered in the official copy and such changes and additions shall be furnished to members of the Board and officers of the University as designated by the President. The Assistant to the Board shall assist the Secretary in performing the duties of his/her office.

8.9 Committees of the Board

The Chair of the Board shall appoint at the Annual Meeting of the Board of Regents or soon thereafter all committee members and shall designate a Chair of each committee except as otherwise provided herein.

89.1 The Executive Committee shall consist of the Chair of the Board, the Vice Chair of the Board, and one other member appointed by the Chair. Two
members present shall constitute a quorum. The Chair of the Board shall serve as Chair of this committee. This committee shall review and make recommendations to the full Board on any matter related to the governance, control and direction of the policies of the University.

§ 89.2 The Academic and Student Affairs Committee shall consist of three members. This Committee shall consider:
(1) the curricula of the various colleges and departments of the University with any other matters dealing with academic programs and the progress thereof;
(2) the research programs within the University and their relationship to all graduate education;
(3) student affairs within the University;
(4) personnel matters within the University.
The Committee shall summarize facts and present alternatives as necessary.

§ 89.3 The Building and Grounds Committee shall consist of three members. This committee shall consider:
(1) use and occupancy of University property;
(2) planning of, locating of, receiving bids for, awarding contracts for, construction of, and maintenance of buildings, utilities, and other physical facilities of the campus.
The Committee shall summarize facts and present alternatives as necessary.

§ 98.4 The Finance/Audit Committee shall consist of three members. This Committee shall consider:
(1) the budgeting and appropriations request processes;
(2) all requests for appropriations and budgets covering expenditures of educational and general funds and auxiliary programs, including, but not limited to, student housing, the athletic department, and the bookstore;
(3) handling of University funds, depositories, etc., whether from appropriated or contributed funds.
(4) the auditing function of the University including, but not limited to, annual audit plan, internal and external audit reports, risk assessment, and audit/compliance issues.
The Committee shall summarize facts and present alternatives as necessary.

§ 98.5 The Nominating Committee shall consist of three members. This committee shall be appointed annually at the January Meeting by the Chair for the purpose of nominating Board officers for election at the April Meeting.

§ 98.6 The Chair of the Board and/or not less than six members thereof at a meeting of the Board of Regents may at any time appoint special committees, name the members thereof and designate the chairmen. Any special committee so created shall be temporary and shall be charged in writing as to its particular duties and functions and the period in which it is
to serve. Action by the Chair of the Board and/or six such members will be required to extend this period.

9.10 Prohibiting Contracting with Board Members

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

10.11 Election of University President

Annually when the budget is passed, the Board of Regents shall elect the President of the University by affirmative vote of a majority of its members. The President of the University shall hold office without fixed term and at the pleasure of the Board. The President shall not have tenure as President, but may hold tenure as a member of the faculty of the University when such tenure has been approved by the Board. The President's salary shall be designated in the appointing order.

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

11.12 Authority, Duties, and Responsibilities of the University President

The President shall be responsible for developing and maintaining excellence and efficiency within the University.

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

The President shall be prepared to make recommendations to the Board on University matters which require Board approval.

The President shall be responsible for carrying out all Board orders affecting the University.

The President shall interpret the Board's policies to the faculty and staff and interpret the University's programs and needs to the Board. The President shall at all times also represent and interpret the University's programs, needs and interests to the public.
The President shall recommend appropriate operating budgets and supervise expenditures under approved budgets. The President shall nominate to the Board the appointment and reappointment of all members of the faculty and administrative officers and recommend such individuals for promotion, retention, or dismissal. The President shall develop and maintain efficient personnel programs for all employees, including faculty and administrative officers. The President shall ensure efficient management of business affairs and physical property and shall recommend additions and alterations to the physical plant. The President shall assume active leadership in developing private fund support for the University.

Without prior notice or hearing, the President of the University may suspend without pay and immediately remove from the University or assign to other duties with pay any employee, and suspend and immediately remove from the University any student, that: (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. The President shall, as soon as possible, notify the General Counsel of such action. In such cases the President will set a hearing before the appropriate administrator or committee on the employee's or student's case as soon thereafter as is practicable unless otherwise waived by the employee or student.

The President shall have the ultimate responsibility for the proper administration of all University contracts, agreements, or purchases which are delegated to the President under the Board's policy. The President is authorized to accept grants and contracts and enter into agreements involving the furnishing of educational services with the various agencies of the Federal and State Governments, Foundations, and private corporations and is authorized to advance funds as necessary to finance federal grants and contracts which are on a reimbursement basis provided the University will be reimbursed by the agencies for any cost resulting from such grants or contracts.

42.13 Election and Duties of General Counsel

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

The General Counsel shall be responsible for all legal advice on all matters related to the University. He/she shall be responsible for all legal matters with local, state, and federal agencies and officials. The General Counsel shall work in cooperation with the Attorney General of the State of Texas, legal counsel engaged in private practice and other legal counsel for agencies of the State of Texas concerning matters that may affect the University. He/she shall monitor all lawsuits brought against or for the University and assist the Attorney General's office in the preparation, trial, and appeal of lawsuits involving the University.
The General Counsel shall review all contractual obligations entered into by the University. He/she shall make legislative interpretations and be responsible for the compilation of all legislative statutes affecting the University. He/she shall be responsible for the determination of student residency classification on appeal. He/she shall perform such other duties which are generally incumbent upon a general counsel of like boards or which shall be delegated to him/her by the Board or the President of the University.

13.14 Election and Duties of the Director of Audit Services

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

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

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

The Director of Audit Services shall work in cooperation with the State Auditor’s Office, independent auditors engaged in private practice, and other auditors for entities of the State of Texas concerning matters that may affect the University.

The Director of Audit Services shall annually submit information on the annual audit plan, work schedule, and staffing plan to the President for his review and to the Board of Regents for their approval. The Director shall submit an annual report as required by Art. 6252-5d, V.T.C.S., recodified at Government Code, Chapter 2102. The annual report shall be submitted to the President and the Board for review prior to public dissemination.

14.15 Election and Duties of the Assistant to the Board of Regents

Annually when the budget is passed, the Board of Regents shall elect the Assistant to the Board of Regents by affirmative vote of a majority of its members. The Assistant to the Board of Regents shall hold office without fixed term and at the pleasure of the Board. The Assistant to the Board of Regents’ salary shall be designated in the appointing order.

The Assistant shall manage the Office of the Board of Regents to assist in the administration of the responsibilities of the Board and facilitate the role of each Regent in the discharge of his or her responsibilities.
The Assistant shall use discretion and independent judgment in establishing reporting mechanisms for the Board, shall work directly with the Regents, President, and General Counsel on a routine basis, shall track information needs of the Board including monitoring of legislative bills during session, shall work as the campus liaison for the university's honored guests, including Legislators, commencements speakers, and other dignitaries.

The Assistant's other responsibilities shall include taking, preparing and distributing meeting minutes; preparing and distributing meeting agendas; filing open meeting notices; notifying Board members of all meeting dates; administering all communications and correspondence for the Board; planning meetings, workshops, and retreats for the Board; making travel arrangements for Board members; maintaining a calendar for the Board; keeping Board members apprised of upcoming events; ensuring appropriate Board representation at functions; maintaining current Board address list; developing and maintaining Board of Regent's web page.

**Employees Reporting to the Board of Regents**

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

**Report or Agenda for Meetings**

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

A copy of the President's Report shall be submitted to all members of the Board and the Secretary at least ten days in advance of a meeting of the Board.

**Order of Business**

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

A. Approval of the minutes of the preceding meeting
18.19 Appearance Before the Board

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

2. Requests to address the Board: Requests to appear before the Board to make comments on a specific agenda item must be received by the Assistant to the Board in writing no later than twenty-four (24) hours before the Board meeting at which the individual wishes to speak. The request should set out clearly the nature of the subject matter to be presented relating to a specific Board agenda item. In making a request to appear before the Board, individuals must give their names and any relevant title or affiliation. Comments regarding non-posted agenda items may be submitted to the Assistant to the Board in writing, at any time, for distribution to the Regents.

3. Time allocation: The Board will allow up to twenty (20) minutes for public comment per agenda item. An individual speaker will be permitted three (3) to five (5) minutes for a presentation. The Board will allow a total of up to ninety (90) minutes for public comments per regular quarterly meeting. Copies of speakers' comments, and/or other written materials for distribution to the Board of Regents will be accepted. Public comments will take place during the scheduled public comment period at the beginning of each regular quarterly meeting.

4. Other meetings: While a specific period for public testimony will be limited to the regular quarterly meetings, written comments are welcome for any scheduled meeting of the Board of Regents. Forward one copy of your comments to the Assistant of the Board for distribution to the Regents.

5. Scheduling of speakers: When the number of requests to address the Board at a given session and for a specific agenda item exceeds the time available, requests will be approved based on the order the written request was received by the Assistant to the Board. If, by virtue of time or other constraint a speaker is not able to present his/her comments, said comments will be accepted and distributed to the Board of Regents at the meeting.
6. Special Requests: Special requests to appear before the Board for comments at times other than the regular quarterly meetings can be submitted to the Assistant to Board for consideration by the Chair of the Board of Regents.

19.20 Annual Budget for University Operations

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


The President of the University shall submit a Monthly Operating Statement to the members of the Board showing balance sheet by fund groups; statement of income; statement of expenditures, unexpended balances, encumbrances, and unencumbered balances.

All institutional books, records, ledgers and accounts shall be kept and maintained in conformity with recommendations of the State Auditor and the State Comptroller of Public Accounts, subject to approval by the Board.

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

21.22 Student Admission, Degree Requirements, Tuition and Fees

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

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

Each member of the Board shall receive copies of major publications of the University.

22.23 Employment of Bond Legal Counsel

The Board shall employ bond counsel as appropriate to advise and represent it in any matters.
23.24 Reimbursement of Expenses

Reimbursement of expenses shall be allowed members of the Board for attending regular and special meetings of the Board; for visiting the University at the request of the Board or the Chair of the Board; for attending formal committee meetings, and for such other special and limited purposes as the Board may expressly authorize in accordance with state regulations. Verified expense accounts shall be submitted to the Secretary for payment and the same shall be subject to review and control by the Board.

24.25 Use of Campus Facilities for Political Purposes

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

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

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

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

25.26 Authority for Official Statements

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

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

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

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

A plaque shall be placed on each new building. The plaque shall show the names of the Board of Regents in alphabetical order, and the names of those occupying the following positions on the date of the contract award: the Chair of the Board of Regents; the President of the University; the Vice President for Business Affairs, Finance and Administration, the Vice President(s) for the area involved, the Director of Physical Plant, the architect and the contractor, together with the year the contract is awarded.

**Provisions to Amend Rules and Avoid Conflict with Statutes**

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

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