

Stephen F. Austin State University

MINUTES OF THE BOARD OF REGENTS



Nacogdoches, Texas

**July 9 and 10, 2007
Volume 237**

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VOLUME 237

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**Stephen F. Austin State University
Minutes of the Meeting of the
Board of Regents
Nacogdoches, Texas
July 9 and 10, 2007 (Meeting 237)
Austin Building 307**

Monday, July 9, 2007

The regular meeting of the Board of Regents was called to order at 8:00 a.m., Monday, July 9, 2007, by Chair Valerie Ertz.

PRESENT:

Board Members: Ms. Valerie Ertz, Chair
 Mr. Carlos Amaral
 Mr. Richard Boyer
 Mr. James Dickerson
 Mr. Bob Garrett
 Mr. Joe Max Green
 Mr. Paul Pond
 Mr. James Thompson
 Ms. Stephanie Tracy
 Mr. Melvin White

President: Dr. Baker Pattillo

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

General Counsel: Ms. Yvette Clark

Other SFA administrators, staff, and visitors

Chair Ertz introduced the newly appointed members of the board and assigned them to committees:

Mr. Carlos Z. Amaral will serve on the Building and Grounds Committee.
Mr. James H. Dickerson will serve on the Academic and Student Affairs Committee.
Mr. John R. "Bob" Garrett will serve on the Finance/Audit Committee.

The Building and Grounds Committee convened at 8:02 a.m. and adjourned at 8:19 a.m. The Finance/Audit Committee convened at 8:20 a.m. and adjourned at 10:10 a.m. The Academic and Student Affairs Committee convened at 10:25 a.m. and adjourned at 11:33 a.m. The board recessed for lunch and a tour of the KFC facility, which will be renovated to house the DeWitt School of Nursing, and a tour of the Student Recreation Center construction site.

Reconvening at 2:58 p.m. in open session, the chair called for an immediate executive session to consider the following items:

DELIBERATIONS CONCERNING SECURITY PERSONNEL AND DEVICES

Discussion of Security Personnel and Devices (Texas Government Code, Section 551.076)

- Follow up on previous audit: Bursar Internal Controls
- TAC 202 Information Security Review
- Campus Security

REAL ESTATE

Deliberations Regarding the Purchase, Exchange, Lease, Sale or Value of Real Property (Texas Government Code, Section 551.072), including possible real estate purchases.

GIFTS AND DONATIONS

Deliberations Regarding Negotiated Contracts for Prospective Gifts or Donations (Texas Government Code, Section 551.073), including possible naming opportunities.

REPORT ON PENDING LITIGATION

Consultation with Attorney Regarding Legal Advice on Tuition and Fee Legislation or Pending and/or Contemplated Litigation or Settlement Offers, including but not limited to Flynn vs. SFASU (Texas Government Code, Section 551.071)

PERSONNEL MATTERS REGARDING SPECIFIC UNIVERSITY EMPLOYEES

Consideration of Individual Personnel Matters Relating to Appointment, Employment, Evaluation, Assignment, Duties, Discipline, or Dismissal of an Officer or Employee, including but not limited to Softball Coach, Coordinator of Special Projects, Provost and Vice President for Academic Affairs, Vice President for Finance and Administration, Associate Vice President for Alumni Affairs, General Counsel, Director of Audit Services, Assistant to the Board, and the President (Texas Government Code, Section 551.074)

The executive session ended at 6:35 p.m. and the board recessed for the day, with no further action.

Tuesday, July 10, 2007

The chair reconvened the board meeting in open session at 9:00 a.m. on Tuesday, July 10, 2007.

PRESENT:

Board Members: Ms. Valerie Ertz, Chair
 Mr. Carlos Amaral
 Mr. Richard Boyer
 Mr. James Dickerson
 Mr. Bob Garrett
 Mr. Joe Max Green
 Mr. Paul Pond
 Mr. James Thompson
 Ms. Stephanie Tracy
 Mr. Melvin White

President: Dr. Baker Pattillo

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

General Counsel: Ms. Yvette Clark

Other SFA administrators, staff, and visitors

The chair welcomed guests to the board meeting and called upon Regent Green to lead the pledge to the flags. Regent White provided the invocation.

Texas District Court Judge Campbell Cox II administered the oath of office to newly appointed board members, Carlos Amaral, James Dickerson, and John R. "Bob" Garrett.

APPROVAL OF MINUTES

BOARD ORDER 07-28

Upon motion by Regent Green, seconded by Regent Thompson, with all members voting aye, it was ordered that the minutes of the April 23 and 24, 2007, meetings be approved.

ADMINISTRATION

BOARD ORDER 07-29

Upon motion by Regent Ertz, seconded by Regent Green, with all members voting aye, it was ordered that Baker Pattillo be reappointed as president of the university with an annual salary of \$250,238, effective September 1, 2007.

BOARD ORDER 07-30

Upon motion by Regent Ertz, seconded by Regent Thompson, with all members voting aye, it was ordered that Yvette Clark be reappointed as general counsel with an annual salary of \$121,791, effective September 1, 2007.

BOARD ORDER 07-31

Upon motion by Regent Ertz, seconded by Regent White, with all members voting aye, it was ordered that Gina Oglesbee be reappointed as director of audit services with an annual salary of \$80,279, effective September 1, 2007.

BOARD ORDER 07-32

Upon motion by Regent Ertz, seconded by Regent Thompson, with all members voting aye, it was ordered that Judy Buckingham be reappointed as assistant to the board with an annual salary of \$38,535, effective September 1, 2007.

PERSONNEL

BOARD ORDER 07-33

Upon motion by Regent Thompson, seconded by Regent Green, with all members voting aye, it was ordered that the following personnel items be approved.

FACULTY APPOINTMENTS FOR 2007-2008

BUSINESS

Esther Bunn, Lecturer of Accounting, M.P.A. (Stephen F. Austin State University), at a salary of \$33,128 for 100 percent time for nine months, effective August 21, 2007.

Mikhail Kouliavtsev, Assistant Professor of Economics and Finance, Ph.D. (Temple University), at a salary of \$70,000 for 100 percent time for nine months, effective August 21, 2007.

Ryan Phelps, Assistant Professor of Economics and Finance, M.A. (University of Kentucky), at a salary of \$70,000 for 100 percent time for nine months, effective July 9, 2007, contingent upon completion of doctorate by September 1, 2009.

Bruce Runyan, Assistant Professor of Accounting, Ph.D. (Texas A&M University), at a salary of \$95,000 for 100 percent time for nine months, effective August 21, 2007.

EDUCATION

Carol Bradley, Instructor of Human Sciences, M.A. (University of Texas), at a salary of \$47,000 for 100 percent time for nine months, effective September 1, 2007, contingent upon completion of doctorate by May 31, 2013.

Melanie Brister, Clinical Instructor of Human Services, M.S. (Stephen F. Austin State University), at a salary of \$47,000 for 100 percent time for nine months, effective September 1, 2007.

Eric Jones, Assistant Professor of Kinesiology, Ph.D. (University of Alabama), at a salary of \$47,500 for 100 percent time for nine months, effective August 23, 2007.

Mary Olle, Instructor of Human Sciences, M.S. (Stephen F. Austin State University), at a salary of \$46,000 for 100 percent time for nine months, effective September 1, 2007, contingent upon completion of doctorate by May 31, 2013.

Donna Pharris, Instructor of Human Sciences, M.S. (University of Houston), at a salary of \$47,000 for 100 percent time for nine months, effective September 1, 2007, contingent upon completion of doctorate by May 31, 2013.

Leonard Thornton, Assistant Professor of Kinesiology and Health Science, Ph.D. (Texas A&M University), at a salary of \$50,000 for 100 percent time for nine months, effective August 22, 2007.

FINE ARTS

Neal Cox, Visiting Assistant Professor of Art, M. A. (University of Texas), at a salary of \$42,000 for 100 percent time for nine months, effective September 1, 2007.

Addison Himes, Dean of College of Fine Arts and Professor of Music, Ph.D. (University of North Texas), at a salary of \$125,000 for 100 percent time for 12 months, effective September 1, 2007.

David Howard, Associate Director of Choirs and Instructor of Music, M.M. (University of Central Oklahoma), at a salary of \$43,000 for 100 percent time for

nine months, effective August 21, 2007, contingent upon completion of doctorate by September 1, 2008.

Michelle Rozic, Assistant Professor of Art, B.F.A. (Columbus College of Art and Design), at a salary of \$42,000 for 100 percent time for nine months, effective September 1, 2007, contingent upon completion of M.F.A. by August 31, 2007.

Scott Shattuck, Director of School of Theatre and Associate Professor of Theatre, M.F.A.(University of Texas), at a salary of \$90,000 for 100 percent time for 12 months, effective September 1, 2007.

LIBERAL AND APPLIED ARTS

Frances Bontempo, Visiting Assistant Professor of Psychology, Ph.D. (Ohio State University), at a salary of \$40,000 for 100 percent time for nine months, effective August 27, 2007.

Ericka Hoagland, Assistant Professor of English and Philosophy, Ph.D. (Purdue University), at a salary of \$43,000 for 100 percent time for nine months, effective August 23, 2007.

Brian Murphy, Dean of the College of Liberal and Applied Arts and Professor of Political Science, Ph.D. (Miami University), at a salary of \$125,000 for 100 percent time for 12 months, effective July 1, 2007.

Manuel Rilo, Assistant Professor of Modern Languages, B.A. (University of Miami), at a salary of \$43,000 for 100 percent time for nine months, effective August 23, 2007, contingent upon completion of doctorate by August 31, 2007.

Jeffery Roth, Assistant Professor of Geography, Ph.D. (University of Oklahoma), at a salary of \$43,000 for 100 percent time for nine months, effective August 21, 2007.

Elizabeth Tasker, Assistant Professor of English and Philosophy, Ph.D. (Georgia State University), at a salary of \$43,000 for 100 percent time for nine months, effective August 23, 2007.

SCIENCES AND MATHEMATICS

Michael Collyer, Assistant Professor of Biology, Ph.D. (North Dakota State University), at a salary of \$45,000 for 100 percent time for nine months, effective September 1, 2007.

Anita Johnson, Clinical Instructor of Nursing, M.S. (University of Texas), at a salary of \$54,000 for 100 percent time for nine months, effective August 20, 2007.

STAFF APPOINTMENTS FOR 2007-2008

ATHLETICS

Meredith Doyle, Assistant Coach Women's Basketball at a salary of \$6,500 for 100 percent time for three months, effective June 4, 2007.

Douglas Karleskint, Assistant Coach Men's Basketball at a salary of \$5,700 for 100 percent time for three months, effective May 21, 2007.

Ulric Maligi, Assistant Coach Men's Basketball at a salary of \$9,800 for 100 percent time for three months, effective May 28, 2007.

CAMPUS RECREATION

Jane Ross, Campus Recreation Coordinator of Promotions at a salary of \$35,000 for 100 percent time for 12 months, effective June 18, 2007.

DEVELOPMENT

Zykia M. Sam, Telephone Outreach Program Supervisor at a salary of \$29,854 for 100 percent time for 12 months, effective May 14, 2007.

EDUCATION

Casey Perry, Clinical Audiologist in Human Services at a salary of \$70,000 for 100 percent time for 12 months, effective July 18, 2007.

FINE ARTS

Ron Worth, Keyboard Technician at a salary of \$40,000 for 100 percent time for 12 months, effective June 1, 2007.

INFORMATION TECHNOLOGY SERVICES

Tristan Adams, Programmer Analyst I at a salary of \$32,000 for 100 percent time for 12 months, effective May 21, 2007.

PUBLIC AFFAIRS

David Michael Hutson, Videographer at a salary of \$30,000 for 100 percent time for 12 months, effective April 30, 2007.

PURCHASING AND INVENTORY

Michael S. Allen, Assistant Coordinator HUB/System Specialist at a salary of \$35,000 for 100 percent time for 12 months, effective March 19, 2007.

TELECOMMUNICATIONS AND NETWORKING

Monica Martinez, Security Support Specialist II, at a salary of \$48,000 for 100 percent time for 12 months, effective July 2, 2007.

CHANGES OF STATUS FOR 2007-2008

ACADEMIC AFFAIRS

Richard Berry, from Associate Provost and Vice President for Academic Affairs at a salary of \$131,940 for 100 percent time for 12 months, to Interim Provost and Vice President for Academic Affairs at a salary of \$145,000 for 100 percent time for 12 months, effective July 2, 2007.

ADMISSIONS

William Barnes-Cox, from Admissions Counselor at a salary of \$29,795 at 100 percent time for 12 months, to Coordinator of Enrollment Management at a salary of \$34,006 for 100 percent time for 12 months, effective May 1, 2007.

Kimberly Lower, from Admissions Counselor at a salary of \$29,798 for 100 percent time for 12 months, to Assistant Director of Admissions at a salary of \$42,785 for 100 percent time for 12 months, effective June 1, 2007.

EDUCATION

Dixie Mercer, from Associate Professor of Human Services at a salary of \$53,016 for 100 percent time for nine months, to Professor and Chair of Human Services at a salary of \$95,000 for 100 percent time for 12 months, effective September 1, 2007.

Lisa Mize, from Associate Professor of Human Services and Interim Associate Dean of Education at a salary of \$60,272 for 100 percent time for nine months, to Associate Professor and Associate Dean of Education at a salary of \$73,000 for 100 percent time for 11 months, effective September 1, 2007.

FINANCE AND ADMINISTRATION

Danny Gallant, from Associate Vice President for Budget and Finance at a salary of \$92,600 for 100 percent time for 12 months, to Interim Vice President for

Finance and Administration at a salary of \$125,000 for 100 percent time for 12 months, effective July 3, 2007.

FINE ARTS

David Campo, from Instructor of Music at a salary of \$51,431 for 100 percent time for nine months, to Assistant Professor of Music at a salary of \$53,141 for 100 percent time for nine months, effective September 1, 2007.

John Goodall, from Interim Dean of Fine Arts and Professor of Music at a salary of \$90,200 for 100 percent time for 12 months to Associate Dean of Fine Arts and Professor of Music at a salary of \$90,000 for 100 percent time for 12 months and Interim Director of the School of Art with an additional stipend of \$1,111 per month for interim duties, effective September 1, 2007.

David Lewis, from Director of the School of Art and Associate Professor of Art at a salary of \$90,054 for 100 per time for 12 months, to Associate Professor of Art at a salary of \$57,865 for 100 percent time for nine months, effective September 1, 2007.

HUMAN RESOURCES

Aurora Martinez, from Human Resources Representative at a salary of \$39,600 for 100 percent time for 12 months, to Benefits Coordinator at a salary of \$39,600 for 100 percent time for 12 months, effective April 1, 2007.

John Wyatt, from Employee Relations Specialist at a salary of \$24,510 for 100 percent time for 12 months, to Human Resources Representative at a salary of \$34,510 for 100 percent time for 12 months, effective April 1, 2007.

LIBERAL AND APPLIED ARTS

Charles Abel, from Chair and Associate Professor of Political Science, Geography and Public Administration at a salary of \$90,000 for 100 percent time for 11 months, to Chair and Associate Professor of Political Science, Geography and Public Administration and Chair of Criminal Justice at a salary of \$90,000 for 100 percent time for 11 months, effective September 1, 2007.

Freddie Avant, from Professor of Social Work at a salary of \$82,620 for 100 percent time for eleven months, to Director/Associate Dean and Professor of Social Work at a salary of \$102,000 for 100 percent time for 11 months, effective August 1, 2007.

Linda Harris from Lecturer of Social Work at a salary of \$51,763 for 100 percent time for nine months to Clinical Instructor of Social Work at a salary of \$51,763 for 100 percent time for 10 ½ months, effective September 1, 2007.

Wanda Mouton, from Associate Professor of Communication at a salary of \$56,533 for 100 percent time for nine months, to Interim Chair of Communication and Associate Professor at a salary of \$56,533 for 100 percent time for nine months, with an additional stipend of \$1,111 per month for the "interim" duties, effective September 1, 2007.

Elizabeth Spradley, from Lecturer of Communication at a salary of \$26,000 for 100 percent time for nine months, to Instructor of Communication at a salary of \$37,000 for 100 percent time for nine months, effective September 1, 2007, contingent upon completion of Ph.D. by December 31, 2012.

Robert Spradley, from Lecturer of Communication at a salary of \$24,127 for 100 percent time for nine months to Assistant Professor of Communication at a salary of \$45,000 for 100 percent time for nine months, effective September 1, 2007, contingent upon completion of Ph.D. by August 31, 2012.

James Standley, from Dean of Liberal and Applied Arts and Professor of Criminal Justice at a salary of \$127,017 for 100 percent time for 12 months, to Professor of Sociology at a salary of \$76,520 for 100 percent time for nine months, effective September 1, 2007.

Jerry Williams, from Chair and Professor of Sociology at a salary of \$72,229 for 100 percent time for 11 months to Chair and Professor of Sociology and Interim Chair of English and Philosophy at a salary of \$72,229 for 100 percent time for 11 months, with an additional stipend of \$1,111 per month for the interim duties, effective September 1, 2007.

LIBRARY

Sean Bibby, from Digital Projects Specialist at a salary of \$15,000 for 50 percent time for 12 months, to Digital Projects Specialist at a salary of \$30,000 for 100 percent time for 12 months, effective March 27, 2007.

Melissa Boiles, from Program Director of Library A.A.R.C. at a salary of \$34,329 for 100 percent time for nine months, to Program Director and Interim Director of Library A.A.R.C. at a salary of \$34,329 for 100 percent time for nine months, with an additional stipend of \$400 per month for the interim duties, effective July 9, 2007.

PRESIDENT'S OFFICE

Charlotte Sullivan, from Government Information Officer at a salary of \$17,000 for 49 percent time for five months to Coordinator of Special Projects at a salary of \$90,000 for 100 percent time for 12 months, effective August 15, 2007.

STUDENT AFFAIRS

Charles Hueber, from Assistant Director of Student Activities at a salary of \$39,531 for 100 percent time for 12 months to Assistant Director of Student Life at a salary of \$45,531 for 100 percent time for 12 months, effective June 1, 2007.

Michael Preston, from Assistant Director of Student Affairs at a salary of \$48,788 for 100 percent time for 12 months to Director of Student Life at a salary of \$54,788 for 100 percent time for 12 months, effective June 1, 2007.

Samuel Smith, from Director of Student Center at a salary of \$82,000 for 100 percent time for 12 months to Director of Student Services and the Student Center at a salary of \$88,000 for 100 percent time for 12 months, effective June 1, 2007.

TELECOMMUNICATIONS AND NETWORKING

Jason Lisenby, from Support Specialist II at a salary of \$28,897 for 100 percent time for twelve months, to Manager Student Technical Support at a salary of \$44,000 for 100 percent time for twelve months, effective April 23, 2007.

UNIVERSITY AFFAIRS

Shelly Lackey, from Assistant Director of Student Affairs Operations at a salary of \$60,937 for 100 percent time for 12 months to Director of Divisional Operations at a salary of \$60,937 for 100 percent time for 12 months, effective June 1, 2007.

RETIREMENTS

James Howard, Associate Professor of Economics & Finance, effective May 31, 2007.

Clarence Bahs, Director of School of Theatre, effective August 31, 2007.

Susan Ormsby, Professor of Accounting, effective August 31, 2007.

Debra Bankston, Lecturer of Human Services, effective August 31, 2007.

TENURE

Academic tenure was awarded to the following individuals, effective fall semester 2007.

Dr. Brian Murphy	Political Science, Geography and Public Administration
Dr. A.C. Himes	Music
Mr. Scott Shattuck	Theatre

FACULTY LEAVE OF ABSENCE WITHOUT PAY

The faculty leave of absence without pay for Dr. Tracy Johnson, which was granted on April 24, 2007 for one year beginning in fall 2007, was withdrawn.

HOLIDAY SCHEDULE FOR 2007-2008

The following holiday schedule for 2007-2008 was approved:

September 3

November 22 and 23

December 24, 25, 26, 27

December 28 and 31 (employees take vacation or comp time as energy conservation days)

January 1

March 10, 11, 12, 13

March 14 (employees take vacation or comp time as an energy conservation day)

May 26

July 4

This holiday schedule will allow SFA to be closed for Labor Day, 2 days at Thanksgiving, 6 working days at Christmas, New Year's Day, 5 working days at Spring Break, Memorial Day, and Independence Day, which totals seventeen days. Employees will be required to take two days of vacation or compensatory time on December 28 and 31 and one day of vacation or compensatory time on March 14 in order to achieve energy conservation during those periods.

ACADEMIC AND STUDENT AFFAIRS

BOARD ORDER 07-34

Upon motion by Regent Boyer, seconded by Regent Green, with all members voting aye, it was ordered that the following academic and student affairs items be approved.

SMALL-SIZE CLASSES SUMMER I 2007

WHEREAS, the following was considered by the board of regents: Coordinating Board rules require that all regular organized undergraduate classes with fewer than ten students enrolled and regular graduate classes with fewer than five students enrolled be approved by the board of regents. Under policies established by the board, such classes can only be taught for specific reasons, such as the course being needed for students to meet graduation requirements, etc. Courses for Summer I 2007 are listed in Appendix 1.

THEREFORE, the Summer I 2007 small-size class list was approved, as listed in Appendix 1.

ADOPTION OF INTERCOLLEGIATE ATHLETIC POLICY AND PROCEDURE MANUAL

WHEREAS, the following was considered by the board of regents: In accordance with NCAA requirements, the university adopted an Intercollegiate Athletic Policy and Procedure Manual in 1994. This policy manual is reviewed annually and approved by the board in its July meeting. Minor policy and/or procedure changes have occurred since the July 2006 revision.

THEREFORE, the revisions to the Athletic Policy and Procedure Manual were approved as presented.

FINANCIAL AFFAIRS

BOARD ORDER 07-35

Upon motion by Regent Thompson, seconded by Regent White, with all members voting aye, the following financial affairs items were approved.

ADOPTION OF FISCAL YEAR 2007-2008 BUDGET

WHEREAS, the following was considered by the board of regents: The annual operating budget is brought to the board of regents for approval in the July board meeting. The proposed 2007-08 budget focuses on student and employee initiatives, and includes major increases in scholarships, a 3% salary increase merit pool for faculty and staff, an increase for faculty promotions, a classified and non classified pay plan upgrade, and an increase in faculty development funding. A detailed HEF allocation is included as a part of the budget (see Appendix 3). Budget summaries were provided to the regents prior to the meeting.

THEREFORE, the operating budget for the 2007-2008 fiscal year totaling \$189,470,936 was adopted as presented.

APPROVAL OF CONSTRUCTION PROJECT BUDGETS AND AUTHORITY TO SEEK THECB APPROVAL FOR PHASE II HOUSING/PARKING GARAGE BUDGET AND PATTILLO STUDENT CENTER BUDGET

WHEREAS, the following was considered by the board of regents: In previous board meetings, authority was given for construction projects, but specific project budget limits were not established. Revised Policy D-20.5, Items Requiring Board of Regents Approval, requires approval of project budgets by the board of regents. The following projects include education and general and auxiliary construction activity.

Project	Budget Not to Exceed
Housing Phase II, Parking Garage*	\$38,308,127
Student Recreation Center, Tennis Courts	\$25,102,000
University Police Dept. Renovation	\$ 275,000
Ferguson/Liberal Arts Building	\$ 650,000
McGee-McKibben Renovation	\$ 750,000
Heating and Air Conditioning: Boynton, Art/Agriculture, Early Childhood Lab	\$ 350,000
Pattillo Student Center**	\$33,500,000

*These two projects were authorized individually by the Texas Higher Education Coordinating Board with estimated budgets. Although they did not exceed the 10% allowable threshold in the aggregate, the residence hall did exceed, while the parking

garage was underspent. Revisions to these two projects need to be taken to the THECB Strategic Planning Committee.

****This project also exceeds the 10% allowable coordinating board threshold and will be taken back for additional approval.**

THEREFORE, construction project budgets listed above were approved at these budget limits. Sources of funds will include remaining bond proceeds, available HEF, interest income, budgeted cost savings, additional revenues, and fund balance. Authorization was given to seek THECB project approval for the revision in budgets between the two Phase II projects Phase II projects (\$33,850,000 for the Phase II residence hall and \$4,458,127 for the Phase II parking garage) and \$33,500,000 for the Pattillo Student Center project budget.

ATHLETIC PROGRAMS INSURANCE

WHEREAS, the following was considered by the board of regents: The NCAA provides catastrophic coverage for injuries that exceed \$75,000. Three years ago the university solicited proposals and awarded a contract for a self-insured retention plan for athletic medical excess insurance to cover injuries below the NCAA coverage threshold. An award was made with 2 years of renewal. Expenditure over the 3-year period has been \$105,750 for premium and administration fees, and \$341,000 toward Self-Insured Retention.

THEREFORE, the university was authorized to continue the RFP process for athletic medical excess insurance and to compare proposals to determine which method or combination of coverage provides the best value to the university. The source of funding will be auxiliary funds. Approval was given to secure coverage for the 2007-2008 athletic season with options to renew for two additional years, and the president was authorized to sign the contract.

PROPERTY, BOILER & MACHINERY, INLAND MARINE AND GENERAL LIABILITY INSURANCE

WHEREAS, the following was considered by the board of regents: The university is currently utilizing agent services of USI Southwest for property, boiler & machinery, inland marine and general liability insurance, and has exhausted all renewal options from the last solicitation. FY07 expenditures for these policies total \$527,418. A new solicitation has been issued.

THEREFORE, the university was authorized to continue the RFP process for property, boiler & machinery, inland marine and general liability insurance and to compare proposals to the State Office of Risk Management (SORM) insurance program to determine which combination of coverage provides the best value to the university. SORM must approve any SFA negotiated contract. Approval was given to contract insurance covering property, boiler & machinery, inland marine and general liability at a

cost to be negotiated with an agent selected through the RFP process with options to renew for two additional years, subject to administrative approval, or to contract for coverage through SORM, should SORM not approve an SFA contract. The president was authorized to sign the contract.

ASBESTOS ABATEMENT CONTRACTS TO ARROW SERVICES AND ARC ABATEMENT FOR FY08

WHEREAS, the following was considered by the board of regents: To avoid delays in the Student Center construction project, the university awarded contracts in 2004 for asbestos abatement to be provided as needed. This was successful in avoiding delays as well as maintaining acceptable pricing. Historical usage is as follows: FY05-\$191,543.70; FY06-\$130,530.59; FY07-\$15,000 with additional \$75,000 estimated for Birdwell Building. The two optional years of renewal have been exhausted, and the university has solicited bids for a new annual contract including two years of renewal, with job costs to be determined based on unit prices bid. Individual releases will be issued for each job. Based on the evaluation ranking 2 vendors equally, two awards are recommended giving SFA the option to select the vendor they feel will offer the best experience and/or lowest price for a given job, or the selection will be made based on the contractor that is available to meet SFA's timetable for completion of the work.

THEREFORE, two awards to Arrow Services and ARC Abatement were approved for blanket contracts for asbestos abatement as needed during FY08. The contracts will be awarded for one year, with two annual renewals, subject to administrative approval. The president was authorized to sign the purchase orders.

FUEL CARDS FOR RETAIL GASOLINE PURCHASES

WHEREAS, the following was considered by the board of regents: The university utilizes the Council on Competitive Government (CCG) Contract for the purpose of making retail fuel purchases at discounted prices. Fuel cards are assigned to specific vehicles, or occasionally to a specific person who may utilize different university vehicles. FY06 total expenditures were \$281,484.97, and FY07 expenditures as of 5/8/07 are \$176,706.80.

THEREFORE, approval was given to continue using the Council on Competitive Government (CCG) contract for the purpose of making retail fuel purchases at discounted prices and to issue a purchase order for the payment of FY08 fuel card expenditures under the CCG contract. The president was authorized to sign the purchase order.

PURCHASE OF CAMPUS EMERGENCY ALERT SYSTEM

WHEREAS, the following was considered by the board of regents: An on-going review of the university's emergency management plan has highlighted the need to enhance our ability to communicate alerts to the campus community during emergency situations. The review determined that the best way to achieve this would be by deploying an integrated

indoor/outdoor/personal notification system that would provide campus-wide coverage to alert and direct our students, employees and campus guests when an emergency event occurs. This system should also be able to provide enhanced call-out capabilities and communication between key university personnel who would be responding to an emergency event.

In an effort to deploy this system as quickly as possible, the Purchasing Department and University Police have conducted a review of vendors that provide any of the individual components of the system contemplated to determine if any of these vendors offer an integrated system. At this point it appears that only one vendor provides the integration of all these components in a unified system. However, should the director of purchasing determine there is more than one vendor who could provide this integrated system, an RFP process will be undertaken to select the provider prior to purchase. If an RFP process is needed, the installation of the system will be delayed by the amount of time necessary to solicit and evaluate the proposals.

THEREFORE, approval was given for the purchase and installation of an integrated indoor/outdoor/personal notification system that would provide campus-wide coverage to alert and direct our students, employees and campus guests when an emergency event occurs. This system will also be able to provide enhanced call-out capabilities and communication between key university personnel who would be responding to an emergency event. The president was authorized to sign the necessary contracts to purchase, install and maintain this system at a cost not to exceed \$225,000. The source of funds for this purchase will be designated fund balance.

AUTHORITY FOR RULE CHANGES TO THE SHORT TERM LOAN PROGRAM

WHEREAS, the following was considered by the board of regents: Currently, emergency short term loans for both books and tuition and fees are processed with both a loan processing fee and interest. If a student fails to make repayment of the loan within the 90 days, they are considered delinquent. Students are assessed interest on a monthly basis at the rate of 5 percent per annum on delinquent short term loans. New legislation restricts a university to charging *either* interest *or* a loan origination fee; a copy of the legislation is shown in Appendix 4.

THEREFORE, the director of financial aid and the controller were given the authority to adopt rules for the short term loan and the book loan programs that will comply with both current legislation and new legislation (included in Appendix 4) to be effective with the 2008 spring semester.

BUILDING AND GROUNDS

BOARD ORDER 07-36

Upon motion by Regent Green, seconded by Regent Boyer, with all members voting aye, it was ordered that the following building and grounds items be approved:

PURCHASE OF PROPERTY AT 514 EAST AUSTIN

WHEREAS, the following was considered by the board of regents: The university has been offered the opportunity to purchase the property located at 514 East Austin from Mr. and Mrs. Mike Winthrop subject to approval by the board of regents. The property was appraised on May 24, 2007 for \$275,000. It is located in an area that is in accordance with the university's long range plan.

THEREFORE, the university was authorized to purchase property located at 514 East Austin from Mr. and Mrs. Mike Winthrop, otherwise known as Lot 2 of the Winthrop Subdivision, within the City of Nacogdoches, as authorized by Chapter 101, Sections 95.31 and 95.33 of the Texas Education Code, if required, subject to approval by the Texas Higher Education Coordinating Board. The purchase price was approved at the appraised value of \$275,000 plus associated purchase and closing cost. The director of the physical plant was authorized to sign necessary documents. The source of the funds will be designated fund balance.

PURCHASE OF PROPERTY AT 301 EAST STARR AVENUE

WHEREAS, the following was considered by the board of regents: The university has entered into a Letter of Intent to purchase the property located at 301 East Starr Avenue from John McGarity subject to approval by the Board of Regents. The property was appraised on June 7, 2007 for \$70,000. It is located in an area targeted for purchase and is in accordance with the university's long range plan.

THEREFORE, the university was authorized to purchase the property located at 301 East Starr Avenue from John McGarity, otherwise known as Lot 9-G, City Block 45, within the City of Nacogdoches, as authorized by Chapter 101, Sections 95.31 and 95.33 of the Texas Education Code, if required, subject to approval by the Texas Higher Education Coordinating Board. The purchase price was approved at the appraised value of \$70,000 plus associated purchase and closing cost, subject to seller removing the house as part of the consideration. The director of the physical plant was authorized to sign necessary documents. The source of the funds will be designated fund balance.

NAMING OF FIELD HOUSE ROOM AS WILLIAM B. LAWTON ROOM

WHEREAS, the following was considered by the board of regents: Mr. William B. Lawton of Lake Charles, Louisiana, has made a generous gift in the amount of \$250,000 for projects to enhance the football program. The Athletic Department is using some of

these funds toward renovation of the main meeting room located in the field house at Homer Bryce Stadium. The renovation includes new fixed seating, ceiling tiles, light fixtures, floor covering, wall graphics, painting and a sound system.

This meeting room serves not only football but other sports including soccer, track & field, softball, baseball, and athletic staff needs too. The meeting room also serves as an academic classroom on Tuesday and Thursdays during the academic year.

THEREFORE, the name of the main meeting room in the field house at Homer Bryce Stadium was changed to *The William B. Lawton Room* in honor of the generous gift made to the university by Mr. Lawton in the amount of \$250,000 for projects to enhance the football program.

NAMING OF GERALD AND CANDACE SCHLIEF TENNIS COMPLEX

WHEREAS, the following was considered by the board of regents: According to the current *Rules and Regulations of the Board of Regents*, "buildings and other facilities 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."

Mrs. and Mrs. Gerald Schlieff, dedicated supporters and faithful donors to the university, have made a very generous gift to the university in the amount of \$450,000 to provide the total funding for a tennis center building.

THEREFORE, in honor of Mrs. and Mrs. Gerald Schlieff, the complex being built to serve the tennis program was named the Gerald and Candace Schlieff Tennis Complex.

PURCHASE OF WATER, SANITARY SEWER AND LANDFILL SERVICES

WHEREAS, the following was considered by the board of regents: The university utilizes water, sanitary sewer and landfill services provided by the City of Nacogdoches. FY 06 total expenditures were \$850,223 and FY 07 expenditures as of 6/14/07 are \$648,764.

THEREFORE, the university was authorized to purchase water, sanitary sewer and landfill services from the city of Nacogdoches for FY 08, and the president was authorized to sign the purchase order.

PURCHASE OF NATURAL GAS

WHEREAS, the following was considered by the board of regents: The university purchases its natural gas through a contract with Centerpoint Energy Services. The contract price for gas is a variable rate based on spot gas prices for "East Texas, Houston Ship Channel". This contract is automatically renewed each year unless either party provides 30 days written notice. Centerpoint has advised the pricing will remain the same

for FY 08. Natural gas expenditures for FY 2007 reflect billings through April 2007 of \$1,106,307. The Texas General Land Office sells gas to state agencies if their price can meet or beat the contracted price. By law the university is required to submit the contract to the Texas General Land Office for their review and it has been sent.

THEREFORE, the university was authorized to renew the contract with Centerpoint Energy Services for natural gas purchase for FY 08, provided the Texas General Land Office does not meet or beat the price. The president was authorized to sign the contract with either Centerpoint or the Texas General Land Office, depending on which offers the best available pricing for the next fiscal year.

CONSTRUCTION OF TENNIS COMPLEX: TIMELINE, ARCHITECT, CONSTRUCTION MANAGER AT RISK

WHEREAS, the following was considered by the board of regents: Through a generous gift from Mr. and Mrs. Gerald Schlieff in the amount of \$450,000, funding has been provided to build a tennis center building. In return for the gift the Schliefs wish to have the tennis complex named the Gerald and Candace Schlieff Tennis Complex. The proposed building will contain coach's office, locker rooms, public restrooms, vending area, mechanical / storage areas and covered porches. The Schliefs have reviewed and approved the proposed plan, which was developed under the university's contract with Scott and Strong Architects. The site of the building is on the north side of the tennis courts.

The administration and the donors want the building to be completed by the time we host the Southland Conference men and woman's tennis tournament in April 2008. In order to accomplish this in the time frame available, the administration recommends the construction project be approved as follows: Architect: Scott and Strong; Construction Manager at Risk: to be awarded by the administration after RFP that allows for multiple bidders, with authority given to the president to sign the contract; Project Budget: not to exceed \$450,000; GMP: to be reported to the Building and Grounds Committee at the next possible meeting. The estimated time schedule for the project is as follows: RFP issued July 11, 2007; RFP due back August 10, 2007; selection of CM at Risk by August 17, 2007; GMP due back from CM at Risk 30 days after selection (mid to late September), construction time: six to seven months depending on weather.

THEREFORE, the university was authorized to proceed with the construction of the Gerald and Candace Schlieff Tennis Complex to be built on the north side of the tennis courts. The project schedule was approved as follows: RFP issued July 11, 2007; RFP due back August 10, 2007; selection of CM at Risk by August 17, 2007; GMP due back from CM at Risk 30 days after selection (mid to late September), construction time: six to seven months. The firm of Scott and Strong was approved as project architect. Authority was given for the administration to select the construction manager at risk after an appropriate RFP process, with authority to sign the contracts delegated to the president. The project cost was approved not to exceed \$450,000, with GMP to be reported to the Building and Grounds Committee at the next possible meeting. The source of funds for the project will be donations.

UNIVERSITY POLICIES AND PROCEDURES

BOARD ORDER 07-37

Upon motion by Regent Dickerson, seconded by Regent Boyer, with all members voting aye, the following policy revisions and amendments to the Board Rules and Regulations were approved.

POLICY REVISIONS

The proposed policy revisions were adopted, as presented in Appendix 5.

AMENDMENT OF BOARD RULES AND REGULATIONS

Section 2 of the Board Rules and Regulations was amended, as follows:

2. Non-Voting Student Regent

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

REPORTS

President Pattillo made a report to the regents concerning the following topics:

- Legislative Update
- Faculty/Staff Salary Increases
- Grand Opening of the Student Recreation Center on September 22 during Parents' Day

Gina Oglesbee, director of audit services, reported on:

- Audit Plan
- Quality Assurance Review
- Risk Assessment

Marc Guidry, chair of the Faculty Senate, provided a written report to the board members concerning the upcoming annual calendar for the Faculty Senate.

Kent Willis, president of the SGA, reported on the following topics:

- New officers

- Watermelon Bash
- Student Discount Card
- School Spirit (Student Travel Program)
- American Red Cross College Club

At the conclusion of the reports, Chair Ertz announced an executive session at 10:25 a.m. for the following items:

DELIBERATIONS CONCERNING SECURITY PERSONNEL AND DEVICES

Discussion of Security Personnel and Devices (Texas Government Code, Section 551.076)

- TAC 202 Information Security Review

PERSONNEL MATTERS REGARDING SPECIFIC UNIVERSITY EMPLOYEES

Consideration of Individual Personnel Matters Relating to Appointment, Employment, Evaluation, Assignment, Duties, Discipline, or Dismissal of an Officer or Employee, including but not limited to Softball Coach, Coordinator of Special Projects, Provost and Vice President for Academic Affairs, Vice President for Finance and Administration, Associate Vice President for Alumni Affairs, General Counsel, Director of Audit Services, Assistant to the Board, and the President (Texas Government Code, Section 551.074)

The executive session ended at 11:15 a.m. and the board adjourned with no further action.

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

Chapter 5. Rules Applying to Public Universities and/or Health-Related Institutions of Higher Education in Texas
Subchapter B. Role and Mission, Tables of Programs, Course Inventory

§5.23 Definitions

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

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

§5.26 Offering of Small Classes by Public Universities

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

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

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

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

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

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

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

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

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

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

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

SMALL CLASSES Summer I 2007

Course Information					
Section Id.	Title	Number Enrolled	Credit Hour Value	Total Credit Hours	Texas Education Code Offering Compliance
ELE 577 002	ADVANCED STUDY OF RAWSON- SAUNDERS	3	1	3	§51.403(d.9)
ECH 562 001	PRACTICUM IN ECH TEACHING	4	2	8	§51.403(d.3)
ECH 332 501	COGNITIVE/LANGUAGE DEVELOPMENT	7	1	7	§51.403(d.4)
HMS 540 501	DEV IN CONSUMER EDUCATION	4	3	12	§51.403(d.1)
SPE 439 001	INTO APPLIED BEHAVIOR ANALYSIS	8	3	24	§51.403(d.2,d.5)
RHB 381 001	INTERVIEW & HELPING SKILLS	9	3	27	§51.403(d.2)
KIN 349 001	PSYCHOMOTOR DEV MOVEMENT ACTIVITY	8	3	24	§51.403(d.3)
KIN 431 001	ORGANIZATION & ADMIN OF ACTIVITY	8	3	24	§51.403(d.3)
ART 110 001	DESIGN 1	9	3	27	§51.403(d.9)
THR 161 001	THEATRE APPRECIATION	8	3	24	§51.403(d.9)
ANS 201 001	BASIC HORSEMANSHIP	7	3	21	§51.403(d.3)
HIS 424 001	RENAISSANCE & REFORMATION	9	3	27	§51.403(d.2)
SPA 409 001	HISPANIC CULTURE IN THE US	6	3	18	§51.403(d.2)
MTH 564 001	GRAPH THEORY	3	3	9	§51.403(d.1)

Total Estimated Credit Hours in Small Classes
 Total Estimated SFA Credit Hours Summer I 2007
 Estimated Small Class Credit Hours as a Percentage of SFA Total Credit Hours

255
 21,151
 .12%



Stephen F. Austin State University

**Faculty Workload Report
Academic 2007 Summary
Fall and Spring Semesters**

Submitted June 2007

Institutional Research Report

Stephen F. Austin State University
Faculty Workload Summary - University Total by Unit
Fall 2006 and Spring 2007

Group	Value	University Total								
		Course Sections	Students Taught	SCH	TLC	All Appointments		Instructional Appointments		
						Headcount	Salaries	FTE	Salaries	Overload
University	Total	5,600	110,375	279,015	13,812	1,498	\$30,396,274	1,009	\$22,696,861	\$374,906
	Average	11	219	553	27	809	\$37,573	505	\$44,984	\$3,085
Business	Total	425	11,213	33,499	1,258	162	\$4,476,393	123	\$3,685,454	\$13,300
	Average	7	184	549	21	83	\$53,932	61	\$59,970	\$3,325
Education	Total	1,433	25,667	61,544	3,372	350	\$6,536,100	228	\$4,922,455	\$139,165
	Average	13	225	540	30	193	\$33,866	114	\$43,242	\$2,613
Fine Arts	Total	824	10,844	23,659	1,829	173	\$3,331,711	128	\$2,626,316	\$50,610
	Average	13	169	370	29	93	\$35,825	64	\$41,145	\$3,134
Forestry / Agric.	Total	390	4,596	8,661	769	75	\$2,071,008	53	\$1,442,755	\$45,460
	Average	15	177	333	30	42	\$49,310	26	\$54,722	\$6,994
Liberal / App. Arts	Total	1,423	35,017	99,117	3,657	395	\$7,300,951	266	\$5,274,063	\$86,563
	Average	11	263	745	27	220	\$33,186	133	\$39,589	\$2,760
Sciences / Math.	Total	1,105	23,038	52,535	2,926	310	\$6,049,568	212	\$4,745,819	\$39,808
	Average	10	217	496	28	161	\$37,575	106	\$44,837	\$3,880
Library	Total	n/a	n/a	n/a	n/a	33	\$630,543	n/a	n/a	n/a
	Average	n/a	n/a	n/a	n/a	17	\$37,091	n/a	n/a	n/a

Total = Number generated by the unit

Average = Number generated by the unit per instructional full-time equivalent (FTE) faculty (course sections, students taught, SCH, TLC) or number generated per appropriate faculty value (headcount, salaries, FTE, overload)

Course Sections = Course sections instructed by the unit.

Students Taught = Number of students enrolled for each course section within the unit (most students enroll in more than one course section).

SCH = Number of semester credit hours generated by the unit.

TLC = Number of teaching load credit generated by the unit.

All Appointments = Values for all faculty employed within the unit.

Instructional Appointments = Values for faculty with direct instruction appointments

Headcount = Number of faculty employed by the unit (average is the unduplicated value)

FTE = Full-time equivalent value of direct instruction appointments (average is per term)

Salaries = Total dollars paid for faculty employed during reporting period

Overload = Total dollars paid for teaching overload assignments of faculty with instructioned assignments

Stephen F. Austin State University
Faculty Workload Summary - Business Total by Unit
 Fall 2006 and Spring 2007

Group	Value	Business Total								
		Course Sections	Students Taught	SCH	TLC	All Appointments		Instructional Appointments		
						Headcount	Salaries	FTE	Salaries	Overload
College	Total	425	11,213	33,499	1,258	162	\$4,476,393	123	\$3,685,454	\$13,300
	Average	7	184	549	21	83	\$53,932	61	\$59,970	\$3,325
Accounting	Total	66	1,656	4,968	202	26	\$811,279	18	\$621,106	\$2,200
	Average	7	184	552	22	13	\$62,406	9	\$70,984	\$2,200
Computer Science	Total	64	1,776	5,324	192	30	\$694,039	21	\$547,817	\$0
	Average	6	161	484	17	16	\$43,377	11	\$52,173	\$0
Economics Finance	Total	82	2,357	7,071	244	32	\$953,277	24	\$810,739	\$10,000
	Average	7	196	589	20	17	\$56,075	12	\$67,562	\$5,000
General Business	Total	94	2,606	7,778	273	36	\$885,948	27	\$633,901	\$0
	Average	7	200	598	21	18	\$49,219	13	\$47,842	\$0
Manage. / Int. Bus.	Total	119	2,818	8,358	349	38	\$1,131,850	34	\$1,071,891	\$1,100
	Average	7	166	492	21	19	\$59,571	17	\$63,220	\$1,100

Stephen F. Austin State University
Faculty Workload Summary - Education Total by Unit
 Fall 2006 and Spring 2007

Group	Value	Education Total								
		Course Sections	Students Taught	SCH	TLC	All Appointments		Instructional Appointments		
						Headcount	Salaries	FTE	Salaries	Overload
College	Total	1,433	25,667	61,544	3,372	350	\$6,536,100	228	\$4,922,455	\$139,165
	Average	13	225	540	30	193	\$33,866	114	\$43,242	\$2,613
Elementary Education	Total	548	7,183	14,931	985	119	\$1,719,185	67	\$1,133,785	\$64,265
	Average	17	218	452	30	65	\$26,449	33	\$33,976	\$2,380
Human Sciences	Total	182	5,855	13,973	443	44	\$877,884	32	\$708,864	\$17,500
	Average	11	366	873	28	24	\$36,579	16	\$44,979	\$3,333
Human Services	Total	238	3,470	10,487	779	64	\$1,554,983	53	\$1,369,013	\$11,600
	Average	9	129	388	29	34	\$45,735	27	\$51,661	\$2,017
Kinesiology	Total	265	6,732	15,125	583	80	\$1,365,146	45	\$933,125	\$2,000
	Average	12	306	688	27	47	\$29,046	22	\$41,555	\$2,000
Secondary Education	Total	200	2,427	7,028	581	43	\$1,018,902	32	\$777,669	\$43,800
	Average	13	152	439	36	23	\$44,300	16	\$49,376	\$3,074

Stephen F. Austin State University
Faculty Workload Summary - Fine Arts Total by Unit
 Fall 2006 and Spring 2007

Group	Value	Fine Arts Total								
		Course Sections	Students Taught	SCH	TLC	All Appointments		Instructional Appointments		
						Headcount	Salaries	FTE	Salaries	Overload
College	Total	824	10,844	23,659	1,829	173	\$3,331,711	128	\$2,626,316	\$50,610
	Average	13	169	370	29	93	\$35,825	64	\$41,145	\$3,134
Art	Total	199	2,654	7,970	570	57	\$1,054,519	43	\$907,354	\$0
	Average	9	126	380	27	31	\$34,017	21	\$42,579	\$0
Music	Total	501	5,671	10,454	917	89	\$1,703,055	69	\$1,355,631	\$46,010
	Average	15	167	307	27	48	\$35,480	34	\$39,368	\$3,067
Theatre	Total	124	2,519	5,235	342	27	\$574,137	16	\$363,331	\$4,600
	Average	16	315	654	43	14	\$41,010	8	\$44,939	\$4,000

Stephen F. Austin State University
Faculty Workload Summary - Forestry and Agriculture Total by Unit
Fall 2006 and Spring 2007

Group	Value	Forestry and Agriculture Total								
		Course Sections	Students Taught	SCH	TLC	All Appointments		Instructional Appointments		
						Headcount	Salaries	FTE	Salaries	Overload
College	Total	390	4,596	8,661	769	75	\$2,071,008	53	\$1,442,755	\$45,460
	Average	15	177	333	30	42	\$49,310	26	\$55,491	\$6,994
Agriculture	Total	150	2,046	3,983	267	30	\$669,188	18	\$461,016	\$5,800
	Average	17	227	443	30	19	\$35,220	9	\$50,247	\$1,933
Forestry	Total	240	2,550	4,678	503	45	\$1,401,820	34	\$981,739	\$39,660
	Average	14	150	275	30	23	\$60,949	17	\$57,111	\$11,331

Stephen F. Austin State University
Faculty Workload Summary - Liberal & Applied Arts Total by Unit
Fall 2006 and Spring 2007

Group	Value	Liberal & Applied Arts Total								
		Course Sections	Students Taught	SCH	TLC	All Appointments		Instructional Appointments		
						Headcount	Salaries	FTE	Salaries	Overload
College	Total	1,423	35,017	99,117	3,657	395	\$7,300,951	266	\$5,274,063	\$86,563
	Average	11	263	745	27	220	\$33,186	133	\$39,589	\$2,760
Applied Arts / Sciences	Total	14	158	531	39	6	\$146,504	5	\$87,659	\$0
	Average	7	79	266	20	3	\$48,835	2	\$36,909	\$0
Criminal Justice	Total	56	1,083	3,223	124	10	\$217,812	9	\$195,539	\$3,000
	Average	14	271	806	31	6	\$36,302	4	\$44,695	\$3,000
Communication	Total	203	3,899	10,458	496	45	\$1,006,593	34	\$787,374	\$23,000
	Average	12	229	615	29	23	\$43,765	17	\$46,673	\$2,457
English / Philosophy	Total	320	7,492	22,486	918	110	\$1,635,907	77	\$1,171,993	\$21,750
	Average	8	197	592	24	57	\$28,700	38	\$30,560	\$2,806
History	Total	143	4,892	14,652	390	39	\$833,532	31	\$644,560	\$9,563
	Average	10	326	977	26	21	\$39,692	15	\$41,746	\$3,477
Modern Languages	Total	100	2,607	5,800	258	23	\$459,012	19	\$370,612	\$0
	Average	10	261	580	26	12	\$38,251	10	\$39,012	\$0
Military Science	Total	32	323	572	70	10	\$0	1	\$0	\$0
	Average	32	323	572	70	5	\$0	1	\$0	\$0

Stephen F. Austin State University
Faculty Workload Summary - Liberal & Applied Arts Total by Unit
(Continued)
 Fall 2006 and Spring 2007

Group	Value									
		Course Sections	Students Taught	SCH	TLC	All Appointments		Instructional Appointments		
						Headcount	Salaries	FTE	Salaries	Overload
Pol. Sci. / Geog. / Public Adm.	Total	146	4,391	13,173	374	32	\$701,739	29	\$630,487	\$11,950
	Average	10	314	941	27	16	\$43,859	14	\$44,245	\$2,390
Psychology	Total	128	3,605	11,015	322	42	\$736,500	26	\$557,962	\$1,100
	Average	10	277	847	25	23	\$32,022	13	\$42,871	\$1,100
Special Advising	Total	64	1,488	1,604	16	20	\$402,495	0	\$0	\$0
	Average	n/a	n/a	n/a	n/a	19	\$21,184	0	\$0	\$0
Sociology	Total	55	2,186	6,543	148	18	\$416,073	13	\$310,036	\$16,200
	Average	9	364	1,091	25	11	\$37,825	6	\$48,330	\$3,240
Social Work	Total	85	1,113	3,720	276	40	\$744,784	24	\$517,841	\$0
	Average	7	93	310	23	24	\$31,033	12	\$43,334	\$0

Stephen F. Austin State University
Faculty Workload Summary - Sciences & Mathematics Total by Unit
Fall 2006 and Spring 2007

Group	Value	Sciences & Mathematics Total								
		Course Sections	Students Taught	SCH	TLC	All Appointments		Instructional Appointments		
						Headcount	Salaries	FTE	Salaries	Overload
College	Total	1,105	23,038	52,535	2,926	310	\$6,049,568	212	\$4,745,819	\$39,808
	Average	10	217	496	28	161	\$37,575	106	\$44,837	\$3,880
Biology	Total	238	6,792	13,820	553	71	\$1,113,174	45	\$801,627	\$4,700
	Average	10	295	601	24	37	\$30,086	23	\$35,275	\$2,238
Biotechnology	Total	78	326	720	125	27	\$131,683	4	\$51,854	\$0
	Average	39	163	360	63	15	\$8,779	2	\$28,888	\$0
Chemistry	Total	125	2,382	4,866	264	22	\$595,087	16	\$405,040	\$11,000
	Average	16	298	608	33	11	\$54,099	8	\$49,577	\$5,500
Environmental Science	Total	35	95	289	49	6	\$0	1	\$0	\$0
	Average	n/a	n/a	n/a	n/a	3	\$0	0	\$0	\$0
Geology	Total	98	2,071	4,176	211	22	\$408,176	17	\$360,790	\$0
	Average	11	230	464	23	11	\$37,107	9	\$42,446	\$0
Mathematics / Statistics	Total	212	5,140	14,902	619	79	\$1,687,626	63	\$1,391,465	\$1,100
	Average	7	166	481	20	42	\$40,182	31	\$44,385	\$1,100
Nursing	Total	169	2,168	5,585	806	52	\$1,462,826	45	\$1,255,085	\$14,708
	Average	8	99	254	37	26	\$56,263	22	\$55,844	\$3,677
Physics	Total	150	4,064	8,177	299	31	\$650,996	21	\$479,958	\$8,300
	Average	14	369	743	27	16	\$40,687	11	\$45,365	\$3,843

Stephen F. Austin State University
HEF Requests
Fiscal Year 2007-08

Department	Item/Project	Amount
Fiscal Year 2007-08 HEF Appropriation		\$ 7,025,771
Debt Service	Academic Bond Issues	\$ 1,200,000
Debt Service	Oracle Master Lease Payment	\$ 109,489
Board of Regents	Board Room Renovation	\$ 150,000
Institutional Research	Nuventive Software	\$ 55,150
Public Affairs	Online Content Management System License	\$ 90,000
Public Affairs	CMS Implementation and Training Services	\$ 25,000
Public Affairs	CMS Computer Hardware	\$ 11,000
Public Affairs	News Media Broadcast Studio Equipment	\$ 43,750
Public Affairs	News Media Video Connection Hardware	\$ 13,000
Instructional Capital	Academic Affairs	\$ 1,250,000
Microcomputer Replacement Fund	Microcomputer Replacement	\$ 1,000,000
Library	Library Materials	\$ 1,000,000
Library	Integrated Library System	\$ 100,000
Library	Computers for Student Labs	\$ 150,000
Library	ScanTron Grader	\$ 11,000
College of Business	Combine McGee Classrooms	\$ 106,666
Geology	New Van for Geology Field Work	\$ 28,553
School of Music	Marching Band Tower	\$ 10,000
Biotechnology	Van	\$ 25,000
Shelton Gym	Replace Gym Floor in HPE 109	\$ 21,120
Agriculture	Agriculture Barn	\$ 20,000
Information Technology Services	Banner Computer Project	\$ 493,244
Information Technology Services	Supplemental Funding for Computer Center	\$ 65,000
Information Technology Services	Annual Microsoft Campus License Agreement	\$ 93,358
Information Technology Services	Supplemental Funding for Telecomm & Networking	\$ 135,000
Information Technology Services	Annual Network Expansion	\$ 90,511
Information Technology Services	Symantec Ghost Site License	\$ 35,000
Physical Plant	Vehicle Fleet Replacement	\$ 200,000
Physical Plant	Grounds Equipment 2 ZTR 44" Mowers	\$ 15,000
Physical Plant	Custodial Cleaning Equipment	\$ 75,000
Physical Plant	Boom Mower for Tractor	\$ 40,000
Controller's Office	Security Door	\$ 2,500
Controller's Office	Printers in Business Office	\$ 1,000
Controller's Office	Payroll Countertop	\$ 1,500
Controller's Office	Scanner in Business Office	\$ 2,200
Purchasing	Copier	\$ 12,000
Purchasing	Office Renovation	\$ 2,500
Human Resources	Renovate Two Office Spaces	\$ 8,500
Safety Office	Fire Extinguisher Restock	\$ 1,000
Safety Office	Van Replacement	\$ 18,000
Safety Office	Safety Equipment	\$ 15,000
Counseling & Career Services	Copier	\$ 11,883
Counseling & Career Services	Copier Base Maintenance - 4 years	\$ 13,200
Disability Services	Client FM Systems and Reader Aids	\$ 15,580
Disability Services	CCTC Desk Top Screen Reader	\$ 3,500
Post Office	Desktop Inkjet Address and Envelope Imager	\$ 38,650
University Police	Police Vehicle	\$ 24,917
University Police	Police Equipment	\$ 12,000
University Police	Police Emergency Phone	\$ 100,000
University Police	Digital Cameras and Recording Equipment	\$ 50,000
University Police	15 Automated External Defibrillators	\$ 30,000
TOTAL		\$ 7,025,771

Senate Bill 1232, Codified at Texas Education Code, Section 56.053

SECTION 2. Subsection (a), Section 56.053, Education Code, as amended by Chapters 80 and 655, Acts of the 77th Legislature, Regular Session, 2001, is reenacted and amended to read as follows:

(a) The governing board of each institution shall adopt rules providing for the terms of the loan, subject to the following:

(1) the loan must be repaid over a period not to exceed 90 days for a loan made for a regular semester or long summer session or over a proportionately shorter period for loans made for a six-week summer session;

(2) the loan must be evidenced by a written or electronic agreement providing for one of the following:

(A) interest on the loan at a rate of not more than five percent per year; or

(B) an origination fee of not more than 1.25 percent of the amount of the loan; and

(3) the loan amount per student may not exceed an amount equal to the tuition and mandatory fees for the courses in which the student is actually enrolling.

SECTION 3. (a) The change in law made by this Act applies to payment of tuition and fees and to emergency student loans for an academic period beginning with the 2007 fall semester unless this Act takes effect after July 1, 2007, in which event the change in law applies beginning with the 2008 spring semester.

(b) Payment of tuition and fees and emergency student loans for an academic period before the semester provided by Subsection (a) of this section are covered by the applicable law in effect before the effective date of this Act, and the former law is continued in effect for that purpose.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2007.

**Policies for Board Review
July 10, 2007**

Policy Name	Policy Number	Action/Change	Page Number
Agency Accounts	C-01.2	Provided availability forms online. Updated titles.	P-3
AIDS and HIV Virus	D-1.1	Updated department name	P-5
Authority to Act in the Absence of the President	D-7	Changed delegation of authority.	P-12
Compliance with the Americans with Disabilities Act	D-41	Changed captions to be consistent with other policies.	P-14
Concurrent Enrollment Program	A-50	Removed requirement for $\frac{3}{4}$ graduation requirements. Changed calculation of GPA requirement. Student must meet TSI requirements for some courses.	P-16
Delegated Purchasing Authority	C-10	Major rewrite.	P-17
Departmental Administration	E-10A	Clarified chair selection process. Updated title for Provost.	P-19
Discrimination Complaints/Sexual Harassment	E-46	Student-to-student infractions reported to Judicial Office.	P-25
Distinguished Professor Award	A-16	Major rewrite.	P-33
Driver Certification	D-10	Updated titles and changed captions for consistency.	P-35
Dual Employment	E-12	Clarified state contribution amount toward group insurance. Updated captions.	P-36
Emergency Management Plan	D-11	VPUA will be EOC director. Updated titles. Adjusted line of succession for EOC command. Condition numbers assigned to stages of disaster.	P-38
Employee Terminations and Transfers	E-18	Departmental checklist available online.	P-48
File Maintenance for Faculty Personnel Files	A-60	Contract issued by dean's office. Removed reference to green copy of PAR. Recommendation for Appointment form eliminated for adjunct faculty.	P-50
Firearms, Explosives and Ammunition	D-14	Updated captions.	P-52

Policy Name	Policy Number	Action/Change	Page Number
Gift Reporting	C-15	Updated VPD title.	P-53
Gifts, Loans, Endowments, and Bequests	C-16	Updated VPD title.	P-55
Interagency and Interlocal Contracts	C-18	Removed requirement for board approval of contracts over \$50,000. Removed requirement for vouchers or invoices.	P-61
Items Requiring Board of Regents Approval	D-20.5	Major rewrite.	P-63
Library Gifts	A-25	Updated VPD title.	P-67
Outside Employment	E-35	Permission for outside employment must be renewed annually.	P-68
Performance Evaluation of Tenured Faculty	A-37.1	Annual review replaced by administrative evaluation. Review process can be conducted by peer review. Updated captions.	P-70
Professional and Consultant Services	C-45	Major rewrite.	P-73
Reduction in Force of Non-Academic Employees	E-41N	Updated captions.	P-79
Returned checks	C-35	Major rewrite.	P-82
Special Purchases	C-36	Major rewrite.	P-84
Stone Fort Museum Collections	F-25	Updated captions.	P-87
Student Conduct Code	D-34.1	Clarified cross references to other policies. Updated captions.	P-90
Student Records	D-13	Annual notification process changed. Disciplinary records kept in Judicial office. Updated captions.	P-96
Time Clock	E-51.1N	Updated captions.	P-103
Transfer Admission	A-44	Updated titles and captions.	P-105
Transfer Credits	A-45	Major rewrite.	P-106
University Logo/Seal	D-38	Updated captions.	P-108
University Web Development	D-45	Changed policy title. Complete rewrite.	P-109
Vendor Protests	F-35	Updated titles, word clarification.	P-119
Vendor Warrant Hold	C-48	Changed policy title. Major rewrite.	P-122

Agency Accounts (C-01.2)

Original Implementation: January 20, 1998

Last Revision: ~~July 8, 2004~~ July 10, 2007

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

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

Request to Establish an Agency Account

A request to establish an Agency Account is made by completing the "Request to Establish an Account" form (Policy C-34). The form is available from the Controller's Office or at https://apache.sfasu.edu/sfa_forms/frs_acct_req.html. If approved, the Agency Account will be assigned an account number (0-9XXXX), which will be used by the owner when depositing or withdrawing funds.

Disbursement from an Agency Account

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

- ⊞1. Complete a "Purchase Voucher" form on-line at https://apache.sfasu.edu/sfa_forms/purchasevoucher.shtml. (Policy C-31). Print the completed form, sign it, and submit it to the accounts payable department in the Controller's Office.
- ⊞2. Complete a "Request for Disbursement from an Agency Account" form, available from the Controller's Office *or online at* https://apache.sfasu.edu/sfa_forms/REQUEST_FOR_DISBURSEMENT.shtml. Print the completed form, sign it, and submit it to the accounts payable department in the Controller's Office.

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

Negative Balances in Agency Account Prohibited

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

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

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

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

Contact for Revision: University Controller

Forms: Request to Establish an Account (~~available from the Controller's Office;~~
Purchase Voucher; Request for Disbursement from an Agency Account (~~available from the Controller's (available online at Office)~~
http://apache.sfasu.edu/sfa_forms/fill_in_forms.shtml)

AIDS and HIV Virus (D-1.1)

Original Implementation: September, 1990

Last Revision: ~~July 8, 2004~~ July 10, 2007

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

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

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

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

When circumstances arise that require review of any matter regarding HIV/AIDS, the President will seek the advice of the Director of University Health Services, the attending

physician, and other relevant parties. An opportunity will be provided for persons involved in the matter to discuss their circumstances. Members of the Public Health Committee will be available to review the issues and to provide recommendations to the President for appropriate action.

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

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

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

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

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

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

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

Policy for the Work Environment

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

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

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

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

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

University employees who refuse to work with HIV-infected co-workers may be subject to disciplinary action. University departmental chairs and directors should carefully

monitor and document any instances of such refusal in violation of this policy and take appropriate disciplinary action.

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

1. current medical information about HIV transmission and prevention;
2. confidentiality and related laws;
3. personnel management, including relevant policies;
4. development of staff problem-solving skills; and
5. a plan for scheduled periodic training.

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

- ~~6.1.~~ provide basic and accurate information regarding the modes of transmission and prevention of HIV infection;
2. reduce fear and misinformation of HIV/AIDS;
- ~~7.3.~~ help faculty and staff recognize and avoid personal behaviors that might cause them to become infected with the HIV virus;
- ~~8.4.~~ encourage nondiscrimination, which enables the HIV-infected person to remain employed as long as feasible;
5. help maintain productivity and lawful behavior in the workplace;
6. provide continuing information about HIV/AIDS; and
- ~~9.7.~~ distribute to all employees a copy of the Texas Department of Health's educational pamphlet entitled "AIDS: THE WORKPLACE."

At a minimum, the HIV curriculum will include:

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

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

- ~~6.1.~~ provides appropriate documentation that the employee may have been exposed to the HIV virus while performing duties of employment with that agency; and,

- 7.2. was exposed to the HIV virus in the manner that the U.S. Public Health Service has determined is capable of transmitting the HIV virus.

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

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

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

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

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

Policy for the Academic Environment

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

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

The University recognizes that the best currently available medical information does not support the existence of a risk to those sharing residence halls with HIV-infected

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

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

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

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

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

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

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

1. include information about:
 - ~~1-a.~~ methods of transmission and methods of prevention of HIV infection; and
 - ~~2-b.~~ federal and state laws, rules, and regulations concerning HIV infection and AIDS; and,
2. give special attention to the physical, emotional, and psychological stress associated with the care of patients with terminal diseases.

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

~~Cross Reference~~Responsible for Implementation: *President* ~~None~~

Contact For Revision: General Counsel

Forms: None

Authority to Act in the Absence of the President (D-7)

Original Implementation: February 23, 1978

Last Revision: ~~January 9, 2006~~ July 10, 2007

In the absence of the President the authority to act in his place is delegated in the following order depending upon the presence of the individual on the campus:

1. *Provost/Vice President for Academic Affairs*
2. *Vice President for University Affairs*
3. *Vice President for Finance and Administration*
4. *Associate Provost/Vice President for Academic Affairs*
5. *Associate Vice President for Budget and Finance*
6. *Vice President for Development*

~~Provost/Vice President for Academic Affairs~~

~~Vice President for Finance and Administration~~

~~Vice President for University Affairs~~

~~Vice President for University Advancement~~

~~Associate Provost/Vice President for Academic Affairs~~

The individual administrative officer acting under this delegation of authority is to handle administrative situations in accordance with the recognized operating procedures of the University, in the absence of the President (*the line of succession for emergency operations is outlined in Policy D-11*).

. He/She may take such action as he/she deems necessary, dependent upon the circumstances of a particular situation, when the President cannot otherwise be reached to make such decisions. As soon as possible and practical, the President shall be informed of any decision or unusual incident and the action taken. No unusual or major decision embodying significant commitments on behalf of the University will be made without consulting the President. ~~The line of succession for emergency operations only is outlined in Policy D-11.~~

Source of Authority: ~~Board of Regents, President~~

Cross Reference: None

Responsible for Implementation: President

Contact for Revision: President

Forms: None

Compliance with the Americans with Disabilities Act (D-41)

Original Implementation: October 19, 1993

Last Revision: July 8, 2004/10, 2007

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

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

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

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

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

Definition:

Discrimination on the basis of disability means:

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

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

Cross Reference: ~~None~~ *The Americans with Disabilities Act of 1990 42 U.S.C Sec. 12101 et seq., Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.)*

Responsible for Implementation: *President*

Contact for Revision: ADA Coordinator

Forms: None

Concurrent Enrollment Program (A-50)

Original Implementation: July 27, 1999

Last Revision: ~~April 22, 2003~~ July 10, 2007

High school students with superior academic ability and achievement may be admitted to Stephen F. Austin State University and enroll in college courses while completing their high school studies. Students must demonstrate the capability to successfully complete college studies.

The Concurrent Enrollment Program is open to high school students (*grades 9-12*) who have ~~generally completed three-fourths of the core high school graduation requirements and have obtained a minimum grade point average of 85. The grade point average is calculated on academic core courses and does not include such courses as band, choir, or physical education.~~ In addition, students must submit a minimum composite score of 1010 on the SAT or 21 on the ACT. ~~Students not exempt from TASP may take collegiate-level courses related to test sections that have been passed.~~ *Students must meet TSI requirements to register for reading and writing intensive courses, as well as math courses.* A recommendation by the student's high school principal or high school counselor must be submitted as well.

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

Cross Reference: General Bulletin

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

Contact for Revision: Provost and Vice President for Academic Affairs

Forms: None

Delegated Purchasing Authority (C-10)

Original Implementation: Unpublished

Last Revision: ~~July 14, 2005~~ July 10, 2007

Stephen F. Austin State University adheres to a policy of centralized purchasing for the purposes of:

1. insuring compliance with state and federal laws, rules, and regulations;
2. protecting the University from unauthorized acquisitions of supplies, equipment and services;
3. providing budgetary control and coordination;
4. insuring fair and ethical business practices; and
5. providing savings through consolidation of requirements; *and* standardization of products where appropriate; ~~and competitive bidding.~~
6. *providing best value acquisition through competitive solicitation processes.*

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

1. The Director of the University Libraries is authorized to purchase books, periodicals, journals, and other related materials needed to maintain University resource material collections.
2. The Curator of the Stone Fort Museum is authorized to purchase general merchandise for resale in the museum gift shop.
3. The Physical Plant is authorized to make purchases up to \$2000 with pre-assigned requisition numbers for completion by the Purchasing Office with the same number.
- ~~4. Account Administrators are authorized to make local purchases of items costing \$500 or less through the Local Purchase Authorization procedures, Policy C-20.A.~~
- 5.4. Employees are authorized to make procurement card purchases of items costing \$2000 or less through the Procurement Card procedures, Policy C-44.
- 6.5. Employees without Procurement Cards ~~or access to LPA's~~ may make purchases approved by the Account Manager, and request reimbursement ONLY when other purchase options are not possible or available. Taxes will not be reimbursed.
- 7.6. Employees are authorized to provide to vendors authorized PO numbers issued by the Purchasing office (Phone PO). In most cases the requisition must be entered and approved on-line before the PO # is issued. When determined appropriate by the

Purchasing Office, the PO # may be issued without a requisition. In such cases, the requisition must be entered on-line within 24 hours, and referencing the PO #.

8.7. Certain payments may be made by completing a voucher for submission to the Controller's Office. See Policy C-31 Purchase Voucher.

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

All official correspondence other than that delegated above; i.e., ~~bid~~ solicitations, purchase orders, ~~correction~~ change orders, cancellations, etc. shall be issued by the Purchasing Department. *The Director of Purchasing & Inventory/HUB Coordinator is delegated authority to sign all titles and associated documents for the purchase, transfer or sale of vehicles, trailers, or marine equipment.*

UNAUTHORIZED PURCHASES MADE OUTSIDE OF DELEGATED AUTHORITY

Unauthorized purchases are purchases charged to the University without utilizing one of the delegations stated above. Payment for unauthorized purchases will not be made by the University with appropriated funds.

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

If payment of the unauthorized purchase and/or any late fees is not approved by the appropriate department head, dean, vice president or president, the individual making the purchase will be responsible for payment to the vendor or returning the item(s). Any freight costs associated with receiving or returning the item(s) will be the responsibility of the individual making the unauthorized purchase.

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

Cross Reference: Policy D-20.5 Items Requiring Board of Regents Approval; ~~Policy C-20.A Local Purchase Authorization~~; Policy C-30 Purchase Requisition; Policy C-31 Purchase Voucher; Policy C-44 Procurement Card

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

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

Forms: None

Departmental Administration (E-10A)

Original Implementation: March 7, 1978

Last Revision: ~~April 30, 2001~~ July 10, 2007

The Chief Administrative Officer of an Academic Department

The chief administrator of an academic department shall be the chair.

General Description of the Department Chair

The chair of an academic department occupies a unique position in the University. The chair is the chief executive of the department responsible for the implementation of department, college and University policy, and a frequent participant in policy formation. Thus, the chair is an administrator, the quality of whose performance has fundamental impact on the success of the institution in attaining its specific goals. The chair's efforts are crucial to the achievement of excellence in teaching, scholarship/creative activities, and service at Stephen F. Austin State University. The chair, through daily interaction with colleagues, sets the tone for the department. The chair is both an advocate for the department's needs to the administration and an interpreter of administrative policy to faculty and students. That dual role is a sensitive one, requiring considerable skills of diplomacy and persuasion. Simultaneously, the chair is a faculty member who is expected to exemplify those faculty qualities most valued by the academic community: teaching excellence, scholarly and creative activities, and a commitment to University and community service. (See also Chair Teaching Load policy.)

Major Responsibilities of the Department Chair

The primary responsibility of the chair is to establish and maintain a departmental climate conducive to the pursuit of knowledge. The chair should provide leadership and direction to the department. The chair should serve as the chief representative of the department both within and without the University and effectively communicate to the faculty and students those policies and events which affect departmental policies and procedures.

The decisions of the chair should be made and implemented in the context of collegiality and regular communication with the departmental faculty. Such communication includes both institutional forms and informal consultations seeking the counsel and advice of the faculty on matters which affect academic programs or the professional interests of the faculty and the department.

More specifically, the administrative responsibilities of a department chair include, but are not limited to, the following:

1. provide leadership in the establishment and maintenance of a visionary direction and standards for the academic unit, consistent with the College and University missions;
2. serve as an advocate for the department, college, and university;
3. assure program quality through evaluation, modification and development of programs and curriculum;
4. respond to the needs, responsibilities and requirements of students, faculty, administration, the public and other constituencies - e.g., develop and implement an effective student advising system; encourage the professional growth and recognition of faculty and staff; prepare catalog materials, schedules of classes, and teaching and collateral assignments of department faculty/staff; support and encourage faculty involvement in university and community activities;
5. manage fiscal resources - prepare and administer the department budget; maintain effective and efficient department office procedures; where appropriate, coordinate fundraising activities with the College and University;
6. manage and allocate physical resources;
7. establish/maintain and communicate effective personnel procedures and processes - recruitment and hiring procedures, evaluation of department members for retention/termination, tenure, promotion, and merit raises; develop a climate and allocate available resources that promote faculty development; and
8. Promote the academic unit as a representative to external organizations/activities.

Selection of the Department Chair

1. A Search and Screen Committee will be used in each search for a department chair. Each search initially will be open and without prejudice for inside or outside candidates. *The dean of the college or Provost and Vice President for Academic Affairs will meet with the department faculty prior to committee selection to discuss the type of search.* Should considerations indicate that a fully open search may not be a viable choice, a decision limiting the scope of the search should be made prior to the selection of the committee. Such a decision will not be made without consultation with the department faculty.
2. The committee will be constituted by the dean of the college on consultation with the faculty of the department and on concurrence by the *Provost and Vice President for Academic Affairs.* *The committee chair will inform the department faculty of the names of the committee members. The dean will inform the college faculty.*
3. The committee shall have at least five members. Larger membership will depend on the size of the department and the complexity of its programs, but all committees must have an odd number of members.
4. Once the size of the committee has been established, the department shall elect its specified number of representatives to the committee. Faculty members eligible to vote will be those on full-time contract with the University who hold faculty rank in the department. *When possible, all tenure-track ranks will be represented.* In all cases the faculty shall elect a majority of the committee.

5. Normally every Search and Screen Committee will have representation from outside the department. No more than one-third of the committee will be from outside the department, except in those cases where the small size of the department or other major considerations make this provision impracticable. While outside representatives will ordinarily be appointed, they may be elected by the department faculty if it seems appropriate or proves necessary to meet the provision that a majority of the committee shall be elected by the department faculty.
6. The dean, after consultation with the *Provost and Vice President for Academic Affairs* and the department faculty, shall then fill the other positions on the committee, from within and/or without the department, with a view toward creating a balanced committee which can best represent the interest of the department, college, and University.
7. To enhance the ability of the committee to focus on the administrative capabilities of the candidates, at least one member of the committee should be an individual with appropriate academic administrative experience.
8. The dean will convene the committee for its organizational meeting; at this time the committee will elect its chair and other officers.
9. ~~Ordinarily~~ *If funds permit*, at least three candidates recommended by the committee will be interviewed on the campus. The itinerary for the interviews will provide ample opportunity for the candidates to meet department faculty, students, the dean of the college, the *Provost and Vice President for Academic Affairs*, and the Search and Screen Committee.
10. After the interviews, the dean shall invite comments from all department faculty and those students who may have been involved in the process relative to the acceptability of various candidates. A summary of these comments should be forwarded, along with the dean's recommendation and the final recommendation of the committee, to the *Provost and Vice President for Academic Affairs*.
11. Appointment is by the *Provost and Vice President for Academic Affairs and the President* and requires the approval of the Board of Regents.

Term of Office of the Department Chair

The department chair is appointed by the President of the University upon recommendation by the dean and the *Provost and Vice President for Academic Affairs* for an unspecified term of office. (See also Chair Appointments policy.)

Evaluation of the Department Chair

The evaluation of the department chair is designed to assist the chair in promoting academic excellence throughout the university. This process takes two forms: the triennial review and the annual review of department chairs. Both processes are guided by the considerations outlined below. The annual review provides the basis upon which to award merit to department chairs.

1. The faculty, chair, and dean must be constantly aware of the quality of a department's academic programs and department administration, and should make recommendations for their improvement.
2. In order to strengthen evaluation of department operations, the department chair will be evaluated annually by the dean of the college. A recommendation for merit will be forwarded to the *Provost and Vice President for Academic Affairs*. When the dean begins the process of annual evaluation of the chair, consideration should be given to all aspects of the chair's performance. The criteria in the Major Responsibilities of a chair enumerated above provide a basis for the dean's assessment of the effectiveness of the department chair and are delineated in the Department Chair Administrative Effectiveness Appraisal. The evaluation process is designed to assist the chair in promoting academic excellence. Additional criteria used by the dean should be communicated to the chairs in the college prior to the three year evaluation period and prior to the period during which the chair is considered for merit. In the case of the triennial review, a summation of the faculties' evaluations of the chair should be included as a component of the evaluation procedure.
3. At least once every three years the dean will initiate an evaluation of the department chair's performance by the faculty of the department. The instrument used in this formal evaluation, "Department Chair Administrative Effectiveness Appraisal," shall request each faculty member to provide a recommendation on the continuance of the chair. Following an evaluation of the chair, the dean of the college will meet with the department for a report on the evaluation.
4. Evaluations of a department chair's performance by the faculty may be initiated at any time by a majority of the faculty, at the call of the chair, dean, *Provost and Vice President for Academic Affairs*, or President.
Comments which may have been received relative to the chair's performance and the advisability of retention should be carefully weighed for both the annual and triennial reviews. If these comments reveal serious problems in the department or that a majority of the faculty of the department desire a full-scale, formal evaluation by the faculty of the department, the dean will consult with the *Provost and Vice President for Academic Affairs* and determine whether such an evaluation of the chair will be conducted. The dean will report the nature of his/her decision to those faculty members who expressed the initial concern. In this, as in the case of all administrative decisions, faculty members have the right to appeal formally this decision to the *Provost and Vice President for Academic Affairs* and then to the President.
5. The dean of the college will review with the department chair the results of the annual administrative evaluation and any evaluation by the faculty. After this review the report of the evaluation with recommendations based thereon will be submitted by the dean of the college to the *Provost and Vice President for Academic Affairs*.

Merit for Chairs/Division Directors

Stephen F. Austin State University includes among the aspects of its mission and purpose the recognition of outstanding performance by chairs/directors of academic departments/units in the areas of administration, teaching, scholarly/creative activity, and service. Thus, Stephen F. Austin State University believes that the achievement of those aspects of professional performance of academic administrators should be regularly and systematically assessed; and in each case in which achievement has been accomplished in an exemplary manner, merit pay should be extended. To evaluate the performance of its chairs and to provide appropriate rewards, the University will employ the policies and procedures set forth below.

1. Criteria:

Outstanding performance in administration, teaching, creative/scholarly activity, and service shall constitute the basis for awarding merit to a chair. For the categories of teaching, creative/scholarly activity, and service, therefore, each college shall identify specific characteristics consistent with Evaluation, Merit Pay, Promotion and Tenure, policy E-20A, that are pertinent to its role within the University-wide mission and purpose. The Department Chair/Director Administrative Effectiveness Appraisal Form is intended to guide the evaluation of administrative merit at the chair level.

2. Procedures:

Each chair will provide the dean with copies of his/her "Annual Report on Teaching, Scholarly/Creative Activities, and Service" for the preceding year as well as a report of the administrative achievements for the preceding year. The format of this attached report may vary among colleges; however, it should reflect the activities appropriate to the role of the chair as described earlier in this policy as well as progress on realizing goals and aspirations for the department. The report shall be completed at the time faculty members are completing their annual faculty evaluation forms. The chair or division director shall, in consultation with the dean of the college, establish and document goals and aspirations for the department/division for the coming year. These stated goals should serve as the basis for future evaluation of the chair/division director.

The chair will review his/her Annual Report and report on administrative accomplishments with the dean. Following this review, the dean will submit the "Administrative Evaluation" form and supporting documentation to the *Provost and Vice President for Academic Affairs* for recommendation, if appropriate, to the President of the University, with a copy to the chair.

The *Provost and Vice President for Academic Affairs* shall make recommendation to the President for final approval.

Source of Authority: President

Cross Reference: Faculty Handbook, Evaluation; Merit Pay, Promotion and Tenure, Policy E-20A

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

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

Forms: Department Chair Administrative Effectiveness Appraisal (available in academic dean's office)

Discrimination Complaints/Sexual Harassment (E-46)

Original Implementation: September 1990/February 2, 1982

Last Revision: ~~April 24~~ July 10, 2007

1. Purpose:

To provide a working environment of nondiscrimination, equal employment opportunity, affirmative action, protection from retaliation for members of classes protected by law, and to comply with Federal and State equal opportunity employment regulations.

2. Non-discrimination Policy:

It is the policy of Stephen F. Austin State University not to discriminate against any employee or applicant for employment because of race, color, religion, sex, age, national origin, disability, or disabled veteran status. Unlawful discrimination based on sex includes discrimination defined as sexual harassment. Stephen F. Austin State University is committed to the principles of Equal Employment Opportunity (EEO) law. An employee who violates this policy is subject to disciplinary action up to and including termination.

A supervisor or employee commits unlawful employment practice if the supervisor or employee retaliates or discriminates against a person, who (a) opposes a discriminatory practice, (b) makes or files a complaint alleging employment discrimination, (c) or testifies, assists or participates in any manner in an investigation, proceeding or hearing. Any employee who retaliates against another employee who opposes alleged employment discrimination violates the university's policies and procedures and may be subject to disciplinary action up to and including termination. This policy applies to student complaints that might involve peer to peer discrimination/harassment and also student employment discrimination/harassment.

The President or designee will be responsible for overseeing the Discrimination Complaint/Sexual Harassment Policy and procedures and for ensuring compliance with EEO laws. All employment decisions will be based on objective, job related, and measurable criteria that can be consistently applied. Human Resources or designee will review all employment actions and decisions, to include, but not limited to, recruitment, selection, promotion, assignment, training, evaluations, discipline, restructuring, workplace accommodations, and compensation to ensure consistency of application. Human Resources or designee will annually review all personnel policies and procedures to ensure compliance with EEO laws and present

any recommendations for updating to the President. All employment related documents will be maintained in accordance with the university's Texas State Record Retention Schedule.

3. Definitions:

1. **Unlawful Discrimination:** Based upon a variety of statutes, both on the federal and state levels, unlawful discrimination may affect terms and conditions of the employment or the educational setting and is based upon race, color, religion, sex, age, national origin, disability, or disabled veteran status. Applicable statutes include: Title VII of the Civil Rights Act of 1964, Civil Rights Act of 1991, Title IX of the Education Amendments of 1972, Age Discrimination in Employment Act, Americans with Disabilities Act, Section 504 of the Rehabilitation Act, Equal Pay Act, Immigration Reform and Control Act of 1986, and Article 5221k, V.T.C.S. The totality of the facts and circumstances will have a bearing on whether unlawful discrimination has occurred.
2. **Sexual Harassment:** Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, even if carried out under the guise of humor, constitute sexual harassment when:
 1. Submission to or tolerance of such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education; or
 2. Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions (including admissions and hiring) affecting that individual; or
 3. Such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance or creating an intimidating, hostile or offensive employment, educational or living environment

The university will not tolerate sexual harassment of any employee or student by another employee, supervisor, or other person with whom an employee or student may have contact with as part of his or her duties. The totality of facts and circumstances in any given situation will have a bearing upon whether unlawful discrimination or sexual harassment has occurred.

4. Required Equal Employment Opportunity (EEO) Training:

The University is required by the Texas Labor Code 21.010 to provide training to each new employee on policies regarding discrimination and harassment no later than 30 days after the date of hire. In addition, supplemental training is required every two years. All employees will receive a copy of the University's Discrimination Complaint/Sexual Harassment Policy and procedures within 30 days of employment. A signed statement verifying attendance is required to be maintained in the employee's personnel file.

5. Management and Supervisory Responsibilities:

Vice Presidents, Deans, Directors and Department Chairs shall take appropriate steps to disseminate this policy statement and to inform employees and students of procedures for lodging complaints. Vice Presidents, Deans, Directors, and Department Chairs are required and students are urged to notify the Director of Human Resources, ADA Coordinator or the appropriate Dean, Director, or Department Chair for the area involved when they learn of an instance of unlawful discrimination or sexual harassment.

6. Employee Responsibilities and Student Responsibilities:

While not required, all employees are urged to contact the Director of Human Resources or the appropriate Dean, Director, or Department Chair for the area involved when they learn of an instance of employee related unlawful discrimination or sexual harassment. Students are urged to contact the Director of Human Resources, ADA Coordinator or the appropriate Dean, Director, or Department Chair for the area involved regarding employee related unlawful discrimination or sexual harassment. Student to student infractions should be reported to the *Judicial Office of Student Development*.

7. Complaint Procedure:

Employees may report a discrimination or sexual harassment complaint without fear of retaliation. All university employees are responsible for immediately reporting discrimination or sexual harassment complaints to the Director of Human Resources, or ADA Coordinator (as applicable), or may additionally be reported to a Vice President, Dean, Director or Department Chair for the area involved. Student to student complaints should be reported to the Judicial Officer, or the ADA Coordinator (if applicable).

Complaints should be filed as soon as possible after any incident, but no later than 180 days from the incident involving unlawful discrimination or sexual harassment

Complaints must be made in writing and signed by the individual submitting the complaint. While investigators will attempt to maintain as much confidentiality as possible, complete anonymity may give way to the University's obligation to investigate and take appropriate action.

If a pattern of harassment appears to exist but no complainant files charges, the University may file a third-party charge against an individual. Such charges will be handled with as much care and control as any other complaint so as to avoid acting on rumor or unjustified accusation.

8. Investigative Process:

1. Employee Related Complaints

Once a complaint has been brought to the attention of a Supervisor, Department

Chair, or other individual in a management level position, that person must report the complaint to the Director of Human Resources as soon as possible. Every attempt should be made to keep the information confidential and restricted to only those who have an absolute need to know. As there may be more than one complainant in an unlawful discrimination or sexual harassment case, the term "complainant" as used herein shall refer to one or more complainants.

The Dean or Director (or other appropriate administrator) for the area involved will normally begin the investigation of the charges within 10 working days from when it was received, not as a representative of the complainant, but as an impartial party. If the Director is the direct supervisor of the accused, the Vice President will assign an alternative director from within their division so the investigator is not investigating his or her own department. The investigation shall normally be conducted within 45 working days thereafter the letter of finding will be forwarded to the Director of Human Resources and the General Counsel at the end of the investigation. Case complexity will vary and the termination of the investigation will depend on case circumstances; however, the investigation will commence within the designated time and will conclude under normal circumstances within 45 working days. It is incumbent upon the investigating official to document a reasonable justification for extending an investigation beyond 45 working days. Investigation of a complaint normally will include conferring with the parties involved and may proceed as necessary with examination of relevant documentation and interviews with other employees or students. Discretion should be exercised in determining which witnesses are indeed necessary to the investigation. The Dean or Director conducting the investigation may also consult with appropriate management personnel, including the Director of Human Resources, the ADA Coordinator, and the General Counsel for advice and guidance as applicable. After investigating the allegations, the Dean or Director will meet with the accused employee, provide the accused with the allegations and an opportunity to respond to the allegations. The investigator is responsible for responding to each allegation that the complainant has made. This response should be in the form of a memo describing the investigator's findings and conclusions. The memo summary should include a brief overview of the investigative process including the categories and numbers of individuals interviewed (excluding names), timelines, a summary of each allegation, a summary of the findings by the investigator, and a summary of the investigator's conclusions and recommendations. This memo should be addressed to both the complainant and the accused with copies provided to the appropriate Vice President, the General Counsel, and the Director of Human Resources. If the complainant or the accused are not satisfied with the results of the investigation as presented in the

memo from the investigator, they may appeal in writing to the appropriate Vice President within 30 days of the date of the memo.

If the complaint cannot be resolved to the satisfaction of all parties, the Dean or Director, working with the Director of Human Resources and the General Counsel, will make a recommendation, normally within 20 days of receipt of the complaint to the appropriate Vice President as to whether any disciplinary action should be taken. A summary of the case will be provided to the Vice President. Recommendations of the Dean or Director to the Vice President may include dismissing of the charges; warning, suspension or termination of the accused; allowing the parties to sign a written statement of agreement resolving the differences between them; counseling; or other appropriate disciplinary action. A general status report of the investigation should be provided to the complainant and the accused upon completion of this investigative phase.

2. Student to Student Complaints:

The Judicial Officer shall investigate student to student complaints and follow the timeframes described in the preceding guidelines for employees. If student discipline is recommended, the Rules of Procedure in Student Disciplinary Matters will guide the proceedings. Said rules are located on the SFA Web Page for student policies and procedures or may be obtained from the Office of Student Affairs. Informal and formal disposition procedures are outlined within the policy; and, it contains full due process procedures.

9. **Review by the Appropriate Vice President for Employee Related Complaints:**

After the Vice President has offered to meet with the accused and if necessary, to meet with the complainant and witnesses, he/she will accept, modify or reject the recommendation of the Dean or Director. If the Vice President concludes that the charges are serious enough to require termination or suspension, the faculty member or staff member may be placed on a leave of absence with pay, pending a hearing by the review board and action by the President.

The Vice President's review should generally be completed within 10 days from receipt of the matter, unless additional time is required in fairness to the parties. A general status report should be forwarded to the complainant and the accused at the conclusion of the Vice President's review.

10. **Review by the Employee Discrimination Complaint Review Board:**

If the decision of the Vice President is not satisfactory to either party (complainant or accused), that individual(s) has 5 days in which to request a formal hearing of the Discrimination Complaint Review Board ("Review Board"). The request must be put in writing to the Vice President issuing the decision.

The Review Board of three individuals will be selected from a panel of 20 pre-

selected faculty members and 20 pre-selected staff members to be appointed by the President. If the accused is a faculty member, the Review Board will be composed of at least two faculty members. If the accused is a staff member, the review board will be composed of at least two staff members. The complainant will select one member and the accused will select one member from the applicable panel. The two selected members will choose a third person from the panel. None of these individual review board members shall be from the department of the accused or the complainant (if applicable). These three individuals will comprise the Review Board and will elect a Chair from among themselves. The University President may remove any selected Review Board member if substantial proof of bias exists.

The Chair of the Review Committee is responsible for coordinating the hearing. The complainant, the accused, and the University all have the right to be advised by counsel, but lawyers will not be allowed to conduct or participate in the hearing. The day prior to the scheduled Review Committee hearing, each side shall submit a list of its witnesses and copies of its documentary evidence to the Chair. A list of witnesses and a summary list of the evidence will be provided to each side. The rest of the Review Committee will not receive the material until the time of the hearing. All materials presented must be maintained in a confidential manner by all parties involved.

The Dean or Director who conducted the investigation will apprise the Review Board of the charges and will normally present all relevant evidence. Both parties will have an opportunity to respond to the charges and present evidence. Each party may make a 5 minute opening statement prior to presentation of the evidence. The burden will be on the complainant to prove by the greater weight of the credible evidence that the accused has committed an act of sexual harassment and/or unlawful discrimination. Cross examination of the witnesses is allowed by all parties. Each party may make a 5 minute closing statement.

The Chair of the Review Board will conduct a fair hearing before the complainant and the accused and shall allow relevant witnesses and evidence from both parties. The hearing shall be closed to the public. The General Counsel may and/or the Director of Human Resources may be consulted in procedural matters of the review board and may be present at meetings. All information presented in the hearing is confidential and restricted to only those who have an absolute need to know.

The Review Board will normally have 5 days after the completion of the hearing to summarize its findings and make a written recommendation to the President.

11. Review by the President for Employee Related Complaints:

The President may accept, reject, or modify the decision of the Review Board and

will have access to all evidence, both parties, and witnesses as deemed appropriate. In all instances except where a faculty member's tenure is revoked or a faculty member is being terminated during the term of their employment, the decision of the President is final. In cases where tenure is being revoked or a faculty member is being terminated during the term of employment, the case will be forwarded to the Board of Regents for a final determination. Pending action by the Board of Regents, the faculty or staff member may be suspended without pay and removed from the University or assigned to other duties with pay at the President's discretion. Final disposition of the case will be communicated to the accused employee and the complainant.

12. Employee Sanctions:

1. University imposed: University sanctions for violations of this policy may include any disciplinary action, up to and including termination of employment for faculty or staff. Such activities may be viewed as constituting moral turpitude or substantial neglect of academic responsibilities under the Faculty Handbook and a major work rule violation under the Staff Discipline and Discharge Policy.
2. Civil: Unlawful discrimination and sexual harassment are illegal under state and federal law. Official governmental investigations by the Equal Employment Opportunity Commission, the Texas Commission on Human Rights, and/or the Office of Civil Rights of the Department of Education may result in civil lawsuits against any person guilty of unlawful discrimination or sexual harassment.
3. Criminal: Sexual harassment by a public servant is a criminal offense under 39.02 of the Texas Penal Code. Depending on the severity of the acts, sexual harassment may also specifically include indecent exposure, public lewdness, assault, or sexual assault under Chapter 21 and 22 of the Texas Penal Code.
4. False charges may result in disciplinary action against the complainant by the University or civil charges against the complainant by the accused. An unsubstantiated charge is not considered "false" unless it is found to be made with the knowledge of it being false.

13. Student Sanctions:

Disciplinary action for student to student related complaints may range from sensitivity counseling to suspension or dismissal. False charges may also result in disciplinary action. An unsubstantiated charge is not considered "false" unless it is found to be made with knowledge of it being false.

14. The Dean/Director (or other appropriate administrator) who investigated the complaint will be responsible for monitoring the circumstances surrounding the complaint to insure the situation has been remedied.
15. The Human Resources Director or designee will be responsible for maintaining a log of all formal complaints and the results of such complaints.

Cross Reference: Faculty Handbook, Non-Academic Employee Handbook; 42 U.S.C. 2000e; 42 U.S.C. 1981; 20 U.S.C. 1681-1688; 29 U.S.C. 621 et seq.; 29 U.S.C. 794 et seq.; 29 U.S.C. 206(d); 8 U.S.C. 1101; Texas Labor Code Sec. 21.101 et seq.; Texas Penal Code, Sec. 39.02

Responsible for Implementation: President

Contact for Revision: Director of Human Resources and General Counsel

Forms: None

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Distinguished Professor Award (A-16)

Original Implementation: Unpublished

Last Revision: ~~July 17, 2001~~ July 10, 2007

The Stephen F. Austin State University Alumni Association honors an outstanding faculty member at ~~its an awards ceremony each spring semester. awards luncheon, which follows Commencement each spring semester.~~ Nominations are solicited through the *Focus* in early February with the deadline for nominations of March 1. *Nominations should be submitted on a Distinguished Professor Award Nomination Form: available on the Alumni Association web-site (www.sfaalumni.com).* A committee made up of the last three recipients reviews the nominations and presents their recommendation to the Associate Vice President for Alumni Affairs of the Alumni Association. The selection of the Distinguished Professor is made by the Alumni Association Board of Directors.

Criteria for the selection of the Alumni Association Distinguished Professorship Award are listed below:

1. In general, the faculty member selected should ~~most nearly satisfy the criteria for faculty excellence as published in the SFASU Faculty Handbook incorporating~~ *demonstrate excellence in the following areas:* teaching, scholarly/creative, and service activities.
2. The recipient must be a tenured member of the faculty. Academic administrators holding a position above that of department chair or director are not eligible.
3. The recipient must have been a full-time teacher at SFASU for three years.
4. The recipient must be an active member of the faculty at the time of the award.
5. Scholarship, citizenship, and contribution to academic excellence and the University's mission should be of such caliber as to bring positive and wide-spread recognition to SFASU.

~~Nominations are solicited through *Focus* in early February with a March 1 deadline for nominations. Nominations should be submitted on a Distinguished Professor Award Nomination Form: available from the Alumni Association. A committee made up of the last three recipients reviews the nominations and presents their recommendation to the Vice President for Alumni Affairs. The selection of the Distinguished Professor is made by the Alumni Association Board of Directors.~~

~~Source of Authority: President, Alumni Association Board of Directors~~

~~Cross Reference: www.sfaalumni.com None~~

Responsible for Implementation: Provost/Vice President for Academic Affairs

Contact for Revision: *Associate Vice President for Alumni Affairs*

Forms: None

Driver Certification (D-10)

Original Implementation: May 4, 1983

Last Revision: ~~July 8, 2004~~ July 10, 2007

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

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

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

Cross Reference: None

Responsible for Implementation: *Vice President for University Affairs*

Contact For Revision: ~~President~~ *Chief of University Police and Director of Environmental Health, Safety, and Risk Management*

Forms: Application Approved Drivers Certification

Dual Employment (E-12)

Original Implementation: Unpublished

Last Revision: ~~July 8, 2004~~ July 10, 2007

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

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

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

Cross Reference: ~~None~~ *Texas Constitution, art. 16, sec. 33 and 49; Texas Government Code Chapter 667.001 (a), (b), (c), 667.002-667.007; General Appropriations Act; Fair Labor Standards Act, 29 USC, Sec. 201, et seq*

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

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

Forms: None

Emergency Management Plan (D-11)

Original Implementation: November 1986

Last Revision:- ~~July 13, 2006~~ July 10, 2007

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.

I. 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 ~~51.21~~ 51.201 and Article 51.203 of the Texas Penal Education Code.
 - The Texas Emergency Disaster Act of 1975, as amended (Article ~~6889-7~~, ~~Vernon's Civil Statutes~~) Texas Government Code, Sec. 418.001 et seq..
3. The Texas Emergency Management Plan, and ~~Annex L~~ Texas Department of Health Governor's Division of Emergency Management.

II. 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 SFA. This plan describes the roles and responsibilities of departments, schools, and personnel during and after 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 and can change at the direction of the Director of the Emergency Operations Center.

This plan addresses several types of emergencies 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 also will 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 SFA. Emergency operations

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

III. SCOPE

This plan is a University-level plan that guides the emergency response of University personnel and resources before, during and after an emergency situation. It is the official Emergency Management Plan of SFA 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 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.

IV. 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:

- ~~i.~~ Protection of human life
- ~~ii.~~ Support of health and safety services
- ~~iii.~~ Protection of University assets
- ~~iv.~~ Maintenance of University services
- ~~v.~~ Assessment of damages
- ~~vi.~~ Restoration of general campus operations

V. SITUATIONS AND ASSUMPTIONS

~~A.0.~~ 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.

~~A.1.~~ 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 communitywide. 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.
- The University is more knowledgeable about its facilities than are other agencies.
- 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 with direction from the President and/or the Director of the Emergency Operations Center

VI. DIRECTION AND CONTROL

~~A.0.~~ The organization of the Emergency Operation Center (EOC) will vary from the routine structure as follows:

- The location of the primary EOC will be the University Police Department upon activation of this plan.
- *The Vice President for University Affairs shall be the EOC Director and the President's designee for command responsibilities and delegating duties to the other staff members as the emergency situation dictates.*

- A secondary EOC may be designated by the EOC Director, if necessary, upon activation of this plan and after consideration of the nature of the emergency.
- ~~The EOC Director will be designated by the President of the University, and he/she~~, or his/her designee, must be present in the EOC as long as the plan is activated. The EOC Director 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 G. (see Emergency Response Team Members and Responsibilities) will be present in the EOC, as needed, to record and document incoming information and to dispatch information to the appropriate personnel. The Emergency Response Team will coordinate requests for service and assignment of resources.

0.1. Warning and Notification

This plan will be implemented by the President of the University, or their designee, 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 Call List of persons to be notified during duty hours, after duty hours, weekends, and holidays shall be available to the UPD dispatcher. The prioritized list of individuals to be called will consist of a name and at least two alternate names along with office, home and mobile phone numbers. Changes in the list shall be submitted to the University Chief of Police. The notification procedure is as follows:

- UPD will maintain the Call List and make the initial notification.
- UPD will initially dispatch personnel as necessary until the EOC is established; then control will shift to the EOC Director who is responsible for emergency management.
- Major problems will be reported to the EOC.

All division/department heads and supervisors are directed to report status of emergency situations directly to the President and/or his or her designee. They

will not discuss this status with outsiders, including media, on behalf of the University.

- The President will be kept apprised of the status of all emergencies, including what the emergency is, how it began (what caused it), who is involved, if there are injuries, the names of those injured and the extent of injuries, what is happening now, and what help has been summoned. Additionally, what is being done to resolve the emergency.?
- At the earliest opportunity, the President will meet with the *EOC Director* ~~University Chief of Police and/or Assistant Chief of Police~~, and other members of the Emergency Management Team, to evaluate action taken and decide on the most appropriate course of future action.
- All contacts from the media will be referred directly to Public Affairs and the Director of the EOC.

~~4.2.~~ Public Information

All public information shall be provided by or coordinated with the Director of Public Affairs and the Director of the EOC. The University Chief of Police will ~~issue~~ ~~conduct~~ press releases concerning criminal or police activities. 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. ~~See Section VI. Public Affairs Crisis Communication Procedures.~~

VII. EMERGENCY RESPONSE TEAM MEMBERS AND RESPONSIBILITIES

~~1.0.~~ University President

~~The President or his/her designee is the EOC Director and~~ shall be responsible for delegating duties to the other staff members as the emergency situation dictates.

~~0.1.~~ Vice President for University Affairs

Responsible for oversight of EOC activities and shall be the President's designee for command responsibilities and delegating duties to the other staff members as the emergency situation dictates. Keeps the President informed of emergency situation as appropriate.

~~1.2.~~ University Chief of Police

Responsible for furnishing and directing manpower necessary to maintain security in 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.

~~2.3.~~ Director of the Physical Plant

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 buildings are safe.

~~3.4.~~ Director of Environmental Health, Safety and Risk Management

Responsible for providing EOC Director specific information about facilities and existing conditions related to emergency. He/she will work with the Nacogdoches Fire Department and UPD when evacuation is warranted. He/she will assure facilities and buildings are safe before they are restored to service or occupied.

~~4.5.~~ Director of Public Affairs

Responsible for timely and accurate dissemination of information to employees, students, public, campus and external news media, and other stakeholders. Information may be disseminated by a variety of methods, including University Web site, e-mail, phone and news briefings. He or she may arrange for photographers to document the disaster after approval from the director of the EOC.

~~5.6.~~ Director of the University Health Clinic

Responsible for determining medical needs, arranging for emergency medical supplies, and establishment of first aid stations in or near affected area, but clear of immediate danger.

~~6.7.~~ ~~Executive~~ Director of Student Affairs ~~Services~~

Responsible for student services and providing meals for students and other University personnel as conditions dictate and coordinating use of his/her facilities as directed by President or *the EOC Director*. ~~his/her designee.~~

~~7.8.~~ Hazardous Materials Officer

Responsible for providing EOC Director with information about locations of hazardous and toxic materials on campus and for serving as consultant to EOC Director. The Radiation Safety Officer will monitor radiation sources and report to the Hazardous Materials Officer.

~~8.9.~~ Director of Housing

Responsible for relocation and housing of students.

VIII. **PRESIDENT'S LINE OF SUCCESSION**

To ensure continuity of University activities during threatened or actual emergencies, the President's Line of Succession for EOC command is established as follows:

- Vice President for University Affairs
- Provost/Vice President for Academic Affairs
- Vice President for Finance and Administration
- ~~Vice President for University Advancement~~
- Associate Provost/Vice President for Academic Affairs
- *Associate Vice President for Budget and Finance*

A list of the President's Line of Succession for other positions on the Emergency Response Team will be provided by the appropriate directors and be appended to the emergency Call List.

IX. 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.

X. CITY OF NACOGDOCHES OUTDOOR WARNING SIREN

~~1.0.~~ Locations

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

~~0.1.~~ Sirens tested first Wednesday of the month at noon.

~~1.2.~~ Sirens sounded if the city is to be impacted by:

- A severe thunderstorm warning is placed by National Weather Service
- A tornado warning is issued by National Weather System and the city is in its path
- A flooding situation and members of the Emergency Response Team believe a warning should be issued.
- A hazardous materials event has placed a section of the community in danger.

XI. EMERGENCY ACTION

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:

Condition 4: -refers to normal operating conditions when daily work routine is not interrupted by disaster or impending emergency situations. No action is necessary.

0. Condition 3: refers 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.

1. Condition 2: refers 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 the Emergency Response Team and place team members 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.

2. Condition 1: indicates any of the following conditions:

- A tornado strike
- Flash flooding
- A major accident or a disaster, man made or natural, occurs without warning
- A major fire
- An explosion
- An electrical blackout (after evaluation by the Director of the EOC)

The EOC is activated and all department heads are notified. The Emergency Response Team 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.

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

The following list is not in exact order. Actions may begin at any time.

- Check and/or re-establish communications.
 - 0. • Maintain law and order.
 - 1. • Perform fire protection and rescue operations.
 - 2. • Set up triage stations if necessary and assure acceptable health conditions.
 - 3. • Assess extent of damage.
 - 4. • Perform emergency clean-up and debris removal.
 - 5. • Request outside assistance as required.
 - 6. • Establish controls on critical resources and direct their distribution when necessary.
 - 7. • 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.
-
10. Keep employees, students, public, campus and external news media, and other stakeholders informed of conditions. Utilize photographers to document extent of disaster when safe to do so and ordered by the Director of the EOC.
- - Ensure orderly operations of shelters, provide welfare necessities to the extent possible, and direct all shelter operations.
-
12. Conduct radiological monitoring and notify "Chemtrec" (1-800-424-9300) if a hazardous material disaster occurs.
- - 12. • Examine the disaster area for life safety hazards and assure precautions are taken to protect personnel until normal operations are established.

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~~

Cross Reference: *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~~ Governor's Division of Emergency Management; Employee Safety Manual / Emergency Management Plan*

Responsible for Implementation: *President*

Contact For Revision: *Chief of Police; Director, Environmental Health, Safety, and Risk Management*

Forms: None

Employee Terminations and Transfers (E-18)

Original Implementation: Unpublished

Last Revision: ~~July 8, 2004~~ *July 10, 2007*

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

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

Failure to notify Human Resources in a timely manner may cause the employee's department to be charged for the employee's benefits unnecessarily. All employees leaving the employment of the University are required to complete a checkout procedure with Human Resources.

As part of the exit process, the department in which the employee works must administer a departmental exit process to finalize business matters involving the terminating or retiring employee. A departmental checklist form is available on-line at www.sfasu.edu/personnel ~~http://www2.sfasu.edu/personnel/ExitFormsLinkPage.htm~~ to assist the department in accomplishing this task. The departmental checkout form is to be signed by the department head, the employee and forwarded to Human Resources for the employee's personnel file. Human Resources will verify whether or not all departmental business is cleared such as keys collected, credit cards returned, uniforms returned, files and equipment returned, time sheet signed and that the Administrative Account Disablement form and the PAR have been submitted.

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

The employee should contact Human Resources to schedule an exit interview, but it is the department head's responsibility to ensure that the terminating employee has scheduled an exit interview no later than the last day of employment.

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

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

Cross Reference: Non-Academic Employee Handbook

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

Contact for Revision: Director of Human Resources

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

File Maintenance for Faculty Personnel Files (A-60)

Original Implementation: October 31, 2000

Last Revision: ~~January 30, 2007~~ July 10, 2007

The Southern Association of Colleges and Schools requires that the university keep on file for all full-time and part-time faculty members documentation of academic preparation including official transcripts, and, if appropriate for demonstrating competency, official documentation of professional and work experience, technical and performance competency, records of publications, certifications and other qualifications. To meet that requirement, the following guidelines have been established which address the contents of the file as well as the designated place for maintaining the file.

Filed in Office of *Provost and Vice President for Academic Affairs*:

All Academic Ranks, 9 month, 100% time, tenure and non-tenure track.

1. Personnel Action Request form (green copy)
2. Recommendation for Appointment form
3. Signed contract issued by VPAA office
- ~~4. Post-hire form~~
- ~~5.4.~~ Curriculum Vita
- ~~6.5.~~ Official transcripts from all degree granting institutions attended
- ~~7.6.~~ Three letters of reference

Filed in Office of College Dean:

Adjunct, Designated– 4.5 to 9 months, non-tenure track

1. Personnel Action Request form (green copy)
2. Recommendation for Appointment form
3. Signed contract issued by ~~VPAA~~-*dean's* office
- ~~4. Post-hire form~~
- ~~5.4.~~ Curriculum Vita
- ~~6.5.~~ Official transcripts from all degree granting institutions attended
- ~~7.6.~~ Three letters of reference

Filed in Graduate Office:

Graduate Assistant - Enrolled graduate student, 50% time or less, non-tenure track

1. Personnel Action Request form

Note: See Policy E-1A, Academic Appointments and Titles, for definition of titles.

Cross Reference: Policy Manual, Faculty Handbook

Responsible for Implementation: Provost and Vice President for Academic Affairs

Contact for Revision: Provost and Vice President for Academic Affairs

Forms: None

Firearms, Explosives and Ammunition (D-14)

Original Implementation: Unpublished

Last Revision: ~~July 8, 2004~~ *July 10, 2007*

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

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

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

Cross Reference: ~~None~~ *Sec. 46.03, Texas Penal Code*

Responsible for Implementation: *President*

Contact for Revision: General Counsel

Forms: None

Gift Reporting (C-15)

Original Implementation: July 18, 1981

Last Revision: ~~October 19, 2006~~ July 10, 2007

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

1. All gifts payable to the University and its departments should be immediately delivered to the Bursar's Office for deposit and must be delivered in a university approved locked bag.

2. Information relevant to any gifts received in the form of cash, checks, money orders, or other forms of negotiable instruments will be forwarded to the Office of Development from the Bursar's Office for purposes of updating donor records and official acknowledgment and receipt of gift. Department receiving gift should complete the "Gift Transmittal" form, attach any original documentation which accompanied the gift, and submit them when depositing the gift at the Bursar's Office. The Bursar's Office will forward the "Gift Transmittal" form and any original documentation included with gift to the Office of Development for gift processing within 24 hours of the deposit.

Furthermore, the Bursar's Office will stamp each "Gift Transmittal" form with the date of deposit and initials verifying the gift has been properly recorded and deposited by the university.

3. Deposit of all negotiable instruments must be completed within 24 hours of receipt of the gift and must be accompanied by the "Gift Transmittal" form. Any exceptions must have approval by the Vice President for ~~University Advancement~~ Development. All exceptions approved by the Vice President for ~~University Advancement~~ Development must be reported to the President within 48 hours.

4. In-kind gifts, contributions other than cash, check or other readily negotiable security, retained in a department, program, activity center, or other University facility, should be reported by completing the "Gift-in-kind Report" form and forwarding it directly to the Office of Development. A comprehensive description of the gift, background information concerning the origin of the gift, value at the time of contribution and any correspondence or wishes of the donor, along with a photograph whenever possible, should be included with the completed form. For those in-kind gifts valued at more than \$5,000, a written qualified appraisal must be submitted, which has been signed and dated by a qualified appraiser.

5. All gifts, negotiable and in-kind, will be acknowledged officially on behalf of the university by the Office of Development, and may also be acknowledged by the recipient

and/or the President. Departments should not generate receipts for gifts unless approved by the Vice President for ~~University Advancement~~ *Development* so that duplicate receipts are not produced.

6. Gifts received by the University and made payable to the Stephen F. Austin State University Foundation, Inc. should be forwarded to the Office of Development for transfer and deposit to the Foundation.

7. All eligible matching gift requests will be processed by the Office of Development upon recording the original gift of the donor. If any matching gifts are ineligible to be matched, the matching gift form will be rejected and forwarded to the department submitting the request.

Source of Authority: President, ~~Vice President for University Advancement~~

Cross Reference: None

Responsible for Implementation: Vice President for Development

Contact for Revision: Vice President for ~~University Advancement~~ *Development*

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

Gifts, Loans, Endowments, and Bequests (C-16)

Original Implementation: July 18, 1981

Last Revision: ~~April 24, 2007~~ July 10, 2007

Authority to accept gifts, loans, endowments and bequests made to Stephen F. Austin State University is vested in the President of the University by the Board of Regents. Gifts, loans, endowments and bequests to any entity of the University should be reported through normal administrative channels.

The President of the University has been authorized to accept gifts under the following conditions:

1. A gift, loan, endowment or bequest which may require commitment of funds, personnel, space or other resources shall be approved by the President prior to any commitment of action on behalf of the University.
2. The University is authorized, with prior approval of the President and ratification by the Board of Regents, to accept gifts or devises of real property for the establishment of scholarships, professorships and other trusts for educational purposes provided such property will not require appropriations by the Legislature for operation, maintenance, repair or construction of buildings.
3. Privacy of donor identity may be granted by the University with the exceptions noted by the Open Records Act or the Internal Revenue Service when public recognition is not desired by the donor.

The terms under which any loan, endowment or bequest is offered and accepted shall be provided in a written agreement between the donor and the University. The General Counsel of the University shall review any bequests made to the University prior to acceptance by the President. All original deeds of trust, wills, endowments, original records, etc., should be forwarded to the Vice President for ~~University Advancement~~ *Development* for safekeeping.

The Vice President for ~~University Advancement~~ *Development* is the primary source of contact with people in the private sector for purposes of soliciting private funds. No individual or company may be solicited for any gift, loan, endowment, or bequest by any member of the faculty or staff of the University until that individual has presented the Vice President for ~~University Advancement~~ *Development* with a copy of the proposal or request for funds.

Research grants or performance contracts which are privately funded are administered through the Office of Research Services, and are not under the provisions of this policy.

Acknowledgment of Gifts

In order to insure accurate recording of all private support for the institution and to properly acknowledge private donors' gifts, the Vice President for ~~University Advancement~~ *Development* will coordinate the acknowledgment of gifts.

Use of Gifts, Loans, Endowments and Bequests

Gifts, loans, endowments and bequests made to Stephen F. Austin State University shall be used for the purpose designated by the donor. If a purpose is not specified by the donor, and the amount of the gift is \$50,000 or more, utilization shall be as directed by the Board of Regents after consideration of recommendations by the President and the Vice President for ~~University Advancement~~ *Development*. If a purpose is not designated, and the amount of the gift is less than \$50,000, utilization shall be as directed and approved by the President of the University.

Gifts received by the University and made payable to the Stephen F. Austin State University Foundation, Incorporated, should be forwarded to the Office of Development for transfer and deposit to the Foundation. No gifts or bequests to the University may be transferred to the Stephen F. Austin State University Foundation, Inc., the Stephen F. Austin State University Alumni Association, Inc., or the Stephen F. Austin Alumni Foundation, Inc. without petitioning a court of competent jurisdiction, as outlined under state law. Funds gifted to the University for a restricted purpose are considered a charitable trust. Legal title to such funds cannot be transferred to other entities, except as noted above.

Under the authority of the Board of Regents, the President of Stephen F. Austin State University is empowered to negotiate and execute the sale of marketable securities donated to the University when such sale is directed or allowed by the donor of said securities. The proceeds of such sale shall be promptly deposited into a University account, to be used as indicated by the donor, and the details of the sale shall be reported to the Board of Regents at its next regular meeting. All in-kind or real estate gifts would require specific approval by the Board of Regents for liquidation to a University cash account.

Restrictions on the expenditure of gift funds generally reside within the following three criteria:

1. A gift must be expended in accordance with the donor's wishes.
 1. The expenditure of the gift funds must be for the demonstrable good of the institution.

2. The expenditure must provide no private gain to either the donor or the person controlling the expenditure of the funds.

The use of gift funds must meet all three criteria collectively. Some specific examples of expenditures from unrestricted gifts that may be for the demonstrable good of the institution, without private gain for the individual expending the funds, are as follows:

1. awards that recognize or promote faculty development, excellence in teaching, academic achievement, athletic achievement, scholarship, or service;
2. costs related to the promotion of the communication of intellectual ideas among students, faculty, staff and administrators of the University;
3. support of student events and activities sponsored by the University;
4. the recruitment of highly qualified students, faculty and staff;
5. costs related to the promotion of the exchange of ideas with community leaders regarding the role of the University and its programs in the community;
6. costs related to the conduct of accrediting agency visits, visits by other officials from other institutions or representatives outside higher education;
7. costs related to the support of continuing education activities.

Examples of expenditures which may not meet the criteria established are as follows:

1. any expenditure that violates the restriction placed on the gift by the donor;
2. the procurement of private property for the personal, unofficial use of any faculty or staff member;
3. donations or other payments to a political party;
4. any other expenditure expressly prohibited by state statute.

Questions concerning an expenditure meeting these criteria should be referred to the Vice President for ~~University Advancement~~ *Development*.

Real or personal property acquired through gifts, loans, endowments or bequests is subject to the same management requirements as other State property. Disposal of any property acquired through gifts, loans, endowments or bequests shall be handled in accordance with State law and applicable University policies and procedures. Property acquired through gifts, loans, endowment or bequest can not be disposed of, sold, or transferred without written permission from the Vice President for ~~University Advancement~~ *Development* and the President.

Publicity

The Vice President for ~~University Advancement~~ *Development*, in coordination with the faculty/staff contact person, the donor, and the Office of Public Affairs, is responsible for coordinating all publicity related to gifts.

Matching Gifts

Certain foundations and companies provide gifts to the University which match contributions made by their employees. For tax purposes, certification is required from the University that the gift of the employee has been received.

The matching gift forms, which certify receipt of the gift, require the signature of the Vice President for Finance and Administration or the Vice President for ~~University Advancement~~ *Development* or the President.

Foundation Support

The Office of Development has the responsibility of performing certain support functions for the Stephen F. Austin State University Foundation, Inc. This includes receiving, receipting, acknowledging, and reporting gifts received by the Foundation, as provided in the Agreement between Stephen F. Austin State University and the Stephen F. Austin State University Foundation, Inc.

Library

Unrestricted gifts of books and other library related materials to Stephen F. Austin State University, not to include equipment such as tape recorders, etc., will not require the usual approval process as authorized in this policy.

Definitions:

1. Gift. A gift includes the gratuitous transfer of cash, cash equivalents such as securities and negotiable instruments, and real or personal property which generates income or may be sold for cash, for the purpose of enhancing the university and its programs, without expectation of specific benefit by the donor.
2. Loan. Real or personal property furnished for the temporary use of the University.
3. Endowment. An endowment is comprised of a gift, in which the donors have stipulated that the principal must be invested and only the income used to fund a project or need. The principal remains intact in perpetuity, thereby continuing to generate income to be used by the university. Endowment funds are classified into four different categories:

- a. **Permanent Endowments.** These endowments are sometimes referred to as "true" or "pure" endowments and are assets designated by the donor to be held in perpetuity. If specifically stated in writing by the donor, the corpus assets of this category of endowments may never be spent and income derived must be expended in accordance with the written terms and conditions established by the donor and the university. Otherwise, the governing board may appropriate for expenditure, for the uses and purposes for which the fund is established, the net appreciation, realized and unrealized, in the fair market value of the assets of an endowment fund over the historic dollar value of the fund to the extent allowed under the University Management of Institutional Funds Act or other applicable law.
- b. **Term Endowment.** In this category of endowments, the donor has specified that following a particular date or event, the assets of the endowment may be expended in accordance with the terms and conditions as specified. Until the passage of the specific date or event, this type of endowment will operate in a manner similar to the permanent endowment with the income used in accordance with the written terms and conditions established by the donor and the university.
- c. **Quasi-Endowments or Quasi-Funds.** The Board of Regents may, with formal action, set aside certain institutional funds to be maintained as endowments. The formal action by the Board of Regents will specify the use of the assets and income derived, and set other terms and conditions relating to the fund. The Board of Regents may, with formal action, change the terms and conditions of the endowment including cessation of the endowment and the return of the assets to the original source of funding, or change the use or purpose as may be appropriate and authorized by law.
- d. **Funds Held in Trust by Others.** Some donors may choose to make income from endowment-type funds available to the university, but will leave the possession of the assets in trust with a third party. In this case, the endowment is not recorded as an asset of the university. In accordance with the Generally Accepted Accounting Principles (GAAP), the existence of the trust must be disclosed in the notes to the university's financial statements.

A minimum gift of \$10,000 shall be required to establish any endowment. An endowment can be initiated with an amount less than the stated minimum with the understanding that all future gifts and all income must become part of the endowment to assist in bringing the endowment assets to the \$10,000 level, and if after five years from the date of the original gift, the value of the assets has not reached \$10,000, the endowment may cease and the existing assets of the fund shall be transferred to a separately established Restricted Fund and expended consistent with the terms and conditions of the original gift.

Specific minimum endowment levels for academic positions are established as follows:

\$1,000,000 - Endowed Chair or equivalent title, depending upon the area;

\$250,000 - Endowed Distinguished Professorship or equivalent title, depending upon the area; and

\$100,000 - Endowed Professorship or equivalent title, depending upon the area.

Cross Reference: Texas Education Code Chapters 101 & 95.34, Chapter 51, Subchapter A; Uniform Management of Institutional Funds Act, Texas Property Code, Chapter 163; Texas Public Funds Investment Act, Texas Government Code, Chapter 2256; Uniform Prudent Investor Act, Texas Property Code Chapter 117

Responsible for Implementation: Vice President for ~~University~~
~~Advancement~~*Development*

Contact for Revision: Vice President for ~~University Advancement~~*Development*

Forms: None

Interagency and Interlocal Contracts (C-18)

Original Implementation: Unpublished

Last Revision: ~~July 14, 2005~~ July 10, 2007

The purchase of goods or services from another agency of the state of Texas is allowed by the Interagency Cooperation Act, except that a state agency may not enter into an agreement or contract that requires or permits the agency to exceed its duties and responsibilities or the limitations of its appropriated funds. An agency may purchase goods, equipment and special or technical services including the services of an employee through an Interagency Cooperation ~~Contract~~ Agreement.

The Purchase of goods or services from or by a political subdivision such as a city or county government, school district, or junior or community college in agreement with a State Agency is handled as an Interlocal Agreement, and is allowed so long as neither the agency nor the political subdivision exceeds its duties and responsibilities or the limitation of its appropriated funds or its governing board or commission.

A state agency may not provide services or resources to another agency that are required by Article XVI, Section 21, of the Texas Constitution to be provided under a contract awarded to the lowest responsible bidder. Printing services MAY NOT be purchased through an Interagency or Interlocal Agreement.

For some large dollar interagency and interlocal contracts, Board approval may be required; see Policy D-20.5, Items Requiring Board of Regents Approval.

SFA AS THE RECEIVING AGENCY

A requisition must be submitted to initiate an i/nter-agency or i/nterlocal purchase where SFA is the receiving agency. The requisition must include the following:

- a. the kind and amount of goods or services to be provided;
- b. the basis for computing reimbursable costs; and
- c. the maximum cost during the period of the agreement.

If the cost will be \$50,000 or greater a formal agreement must be completed in addition to the requisition and including the same information above, ~~and Board approval must be obtained.~~

SFA AS THE PERFORMING AGENCY

The Purchasing Office is not involved. ~~If the estimated cost of the goods or services is less than \$50,000 the department must document the exchange through some type of informal letter of agreement or memoranda. If the cost is \$50,000 or greater, A~~ formal written agreement signed by both agency heads is required. *Forms for interlocal and interagency contracts are available on the General Counsel web site., and SFA Board*

~~approval must be obtained.~~ An Interlocal Agreement requires a formal written agreement regardless of the dollar amount. The written agreement must include the following.

- a. the kind and amount of goods or services to be provided;
- b. the basis for computing reimbursable costs; and
- c. the maximum cost during the period of the agreement.

~~An agency shall reimburse another agency for the goods or services provided with an interagency voucher payable to the providing agency or electronically as prescribed by the Uniform Statewide Accounting System. A reimbursement received by an agency for goods or services provided shall be credited to the appropriation items or accounts from which the agency's expenditures for goods or services were made.~~

~~An agency shall reimburse or be reimbursed by a political subdivision for the goods or services provided through the issuance and payment of an invoice~~

Source of Authority: ~~Texas Government Code, Title 7, Chapter 771 and Chapter 791; Texas Constitution, Article XVI, Section 21; President; Vice President for Business Affairs~~

Cross Reference: *Texas Government Code, Title 7, Chapter 771 and Chapter 791; Texas Constitution, Article XVI, Section 21; ~~Purchase Requisition Policy C-30; Items Requiring Board of Regents Approval Policy D20.5~~*

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

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

Forms: *Purchase Requisition (Use FRS System); Interagency Cooperation Agreement (General Counsel's website); Interlocal Agreement (Purchasing Office)~~Transaction Voucher (available in Controller's Office)~~*

Items Requiring Board of Regents Approval (D-20.5)

Original Implementation: July 5, 1988

Last Revision: ~~October 19, 2006~~ July 10, 2007

A. Items That Require Approval by the Board of Regents

1. Construction/renovation projects if the estimated cost is \$100,000 or more, including
 - a. Selection of an architect/engineer
 - b. Authority to submit the proposal to the Coordinating Board if the estimated project cost (includes all cost) is at least \$1,000,000 for new construction, \$2,000,000 for renovation, or as otherwise required under law.
 - c. Construction contract awards. *The Guaranteed Maximum Price must be reported to the Buildings and Grounds Committee at the next possible meeting.*
 - d. *Approval of project budget.*
 - ~~d.e.~~ *Change orders that would increase the cost of the project beyond the amount of the ~~approved budget~~ Guaranteed Maximum Price. Board approval of change orders would not be required for budgeted construction contingencies within the Guaranteed Maximum Price.*
 - f. *For projects requiring Coordinating Board approval, a final project close-out report entailing a post completion evaluation of the project that includes the following elements that must be reported to the Buildings and Grounds Committee: final project cost, summary of change orders, existence of any liquidated damages, final HUB participation percentages and total value, summary of approvals from any State or Federal agencies having jurisdiction, survey summary of evaluation by end users, summary of final inspection punch list for items needing repair. A warranty inspection will be conducted and major warranty repairs summarized for review by the President and Chair of the Buildings and Grounds Committee.*
2. Actions relating to University employees, including
 - a. Appointment of full-time faculty
 - b. Faculty promotions
 - c. Awarding of faculty tenure
 - d. Appointment of full-time administrative/professional staff (non-classified) excluding those requiring student status and those paid with grant funding

- e. Change of position status of full-time faculty and administrative/professional (non-classified) staff
 - f. Advisement on termination of full-time faculty and administrative/professional (non-classified) staff (Executive Session only, does not require Board action for approval)
 - g. Leaves of absence for faculty and administrative/professional (non-classified) staff for one semester (four and one-half months) or more
 - h. Dual employment (with state agencies) of faculty and administrative/professional (non-classified) staff
- 3. Delegations of administrative authority, including
 - a. Authority to approve travel
 - b. Authority to approve purchases
- 4. Policy statements when the effect will be to change admission, probation, or suspension regulations establish or alter policies, regulations, or rules relating to employment or property rights govern the activities of the entire University or a major section of the University, such as rules for admission into teacher education or any other major curriculum change long standing and well accepted practices or patterns of behavior implement rules, regulations, or activities established by external authorities
- 5. Contracts, purchases, or agreements in the amount of \$100,000 or more
 - 6. Any lease of any item (building, equipment, etc.) if the total cost of the lease is expected to be \$100,000 or more without regard to the length of the lease period
 - 7. Purchase, sale or exchange of real property (Executive session only, does not require Board action for approval)
 - 8. Depository contract (presently submitted annually)
 - 9. Food service (or similar) contracts, including changes in existing contracts
 - 10. Contracts and agreements with support or development foundations
 - 11. Settlements, consent decrees, authority to enter into litigation (Executive session only, does not require Board action for approval.)
 - 12. Establishment (or change) of mandatory fees
 - 13. Curriculum matters, including
 - a. Establishment or elimination of academic programs

- b. Establishment or elimination of courses
- c. Major changes in programs or courses
- 14. Designation of a name for University buildings, facilities, streets, etc.
- 15. Annual holiday schedule
- 16. Private, governmental, or foundation grants or agreements if the purpose of the grant, etc. is not designated ("President's Discretion" constitutes a designation)
- 17. Annual operating budget
- 18. Increases in existing budgets through a "budget adjustment" if over \$100,000, except revolving funds.
- 19. Biennial legislative request
- 20. Long Range Master Plan

B. Items That Do Not Require Approval by the Board of Regents

- 1. Construction or renovation projects under \$100,000
- 2. Change orders under \$100,000 as long as the approved budget is not exceeded
- 3. Appointment, change-of-status, promotion, termination of classified employees
- 4. Appointment, change-of-status, termination of graduate or student assistants
- 5. Resignations
- 6. Contracts, purchases, and agreements when the amount is less than \$100,000
- 7. Budget transfers that do not increase the Board approved budget
- 8. Private, governmental, and foundation grants or agreements if the purpose of such is stipulated by the grantor, etc.
- 9. Materials purchased for resale in auxiliary operations and central stores
- 10. Materials purchased for inventory stock of the physical plant operation
- 11. Materials purchased for normal inventory stock from operation and maintenance budgets previously approved by the Board
- 12. Maintenance and service contracts
- 13. Library subscription services

14. Recurring printing orders
15. Contracts and agreements for athletic events, entertainment concerts, fine arts events, and other similar activities
16. Group travel packages for resale
17. Materials or services purchased for emergencies resulting from disasters, hazards, or other exigent circumstances
18. Other items approved by the President of the University which are not listed in Section I-A of this policy.

~~Source of Authority:~~ Board of Regents

Cross Reference: None

Responsible for Implementation: President

Contact for Revision: President

Forms: None

Library Gifts (A-25)

Original Implementation: March, 1982

Last Revision: ~~April 20, 2004~~ July 10, 2007

The purpose of the Library's gift program is to supplement library acquisitions by accepting materials and/or monetary donations for the purchase of library materials.

Accepting Gifts. It is the policy of the University that gifts of materials be accepted only with the understanding that upon receipt the Library reserves the right to determine their retention, cataloging treatment, and other considerations related to their use or disposition.

Factors which will be considered in deciding whether to accept a gift include the needs of the collection, technical processing costs, physical condition, location and space, maintenance requirements and accompanying restrictions.

Major Gifts. The acceptance of major gifts (i.e. gifts requiring an extraordinary commitment of space or gifts accompanied by specific management requirements) will be negotiated and authorized by the Library Director and the Vice President for ~~University Advancement~~ *Development*.

Restricted Gifts. Gifts that carry restrictions will not be accepted unless specifically authorized by the Library Director and the Vice President for ~~University Advancement~~ *Development*.

Appraisals. The Library does not appraise gifts. The cost of an outside appraisal is borne by the donor.

Acknowledgements. The Library Director will acknowledge outstanding gifts and notify the Vice President for ~~University Advancement~~ *Development* of any gifts of materials valued at \$100 or more.

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

Cross Reference: None

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

Contact for Revision: Library Director

Forms: None

Outside Employment (E-35)

Original Implementation: April 21, 1981

Last Revision: ~~July 8, 2004~~ *July 10, 2007*

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

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

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

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

Source of Authority: ~~Board of Regents, President~~

Cross Reference: Faculty Handbook, Non-Academic Employee Handbook

Responsible for Implementation: President

Contact for Revision: President

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

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Performance Evaluation of Tenured Faculty (A-37.1)

Original Implementation: August 26, 1997

Last Revision: ~~July 17, 2001~~ July 10, 2007

Purpose

The evaluation of faculty performance at Stephen F. Austin State University is a long standing practice. The Policy for Performance Evaluation of Tenured Faculty at Stephen F. Austin State University broadens the scope of previous University policies relating to faculty evaluation. This policy increases the available options for addressing the performance measures of tenured faculty. When obtained according to this policy, the results of the evaluation of a tenured faculty member may be used to support personnel decisions relating to commendations, suggestions for improvement, and when required, counseling of a faculty member whose evaluation shows the necessity for a professional development plan designed to address deficits in performance. A faculty member who satisfactorily meets the conditions of the professional development plan ends participation in the plan. If after a specified period of time the faculty member has not fulfilled the goals of the plan, dismissal procedures may be initiated in accord with University policy.

Academic Freedom and Responsibility

Stephen F. Austin State University regards academic freedom as critical to the maintenance of a positive scholastic atmosphere where free exchange of thought is encouraged, where faculty and students alike enjoy the opportunity to broaden their knowledge and where one's full potential can be realized. We therefore adhere to the statement on Academic Freedom and Academic Responsibility as articulated in Policy A-2.5

Evaluation & Criteria

For the purpose of assessing performance of tenured faculty, each academic unit has developed criteria for categories of performance, under the guidelines of policy E-20A, "Evaluation, Merit Pay, Promotion and Tenure". Tenured faculty in each department shall be evaluated annually for "teaching, performance/scholarly/creative activity, and service". Peer review will be included within the evaluation process at least to the extent required by law.

When a faculty member receives a satisfactory *administrative evaluation*~~annual review~~, the evaluation process is concluded *for the year*. The faculty member may then be considered for merit and/or promotion.

A single unsatisfactory *administrative evaluation*~~review~~ results in a consultation with the academic unit head. When a tenured faculty member receives two unsatisfactory annual evaluations within any three year period, a comprehensive professional review

will be initiated. Regardless of the format used for performance evaluation of tenured faculty, all forms must include a check off as follows:

☐ Satisfactory

☐ Unsatisfactory

The evaluator must definitively check one of these blanks.

Professional Review & Development Plan

The purpose of the professional review is to identify and place on record the deficiencies in performance and to formulate a specific professional development plan aimed at addressing the deficiencies. The professional review begins with the academic unit director notifying the faculty member that he/she is subject to professional review. As part of the process the director will inform the faculty member of the procedures for the review. The faculty member can request that the review process be conducted by the academic department director or ~~by a committee constituted according to procedures established in each College through peer review.~~

The reviewer(s) will consider the two previous unsatisfactory evaluations of the faculty member and recommend a specific development plan to the unit director within sixty days. The development plan will specify the deficiencies that are being addressed and what steps the faculty member needs to take to remediate the performance deficiencies according to a timeline. The development plan will be given final review by the unit director, the dean/librarian, and the faculty member. A final plan should be the collaborative effort of the three parties and should seek to benefit both the faculty member and the university. It is expected that all parties involved in the process of implementing a specific development plan will work in good faith. The annual evaluation process prescribed in Evaluation, Merit Pay, Promotion and Tenure, Policy E-20A, is suspended while a faculty member is under professional review.

All professional development plans are formed to address specific situations and may vary from one plan to another. However, each professional development plan should include the following: 1) specific deficiencies to be addressed in the plan; 2) specific objectives needed to remediate the named deficiencies; 3) a list of activities to be carried out to achieve the required outcomes of the professional development plan; 4) a schedule of deadlines for completing the activities; 5) criteria that will be used to assess progress; 6) a plan for periodic documented assessment to be conducted at least annually. Assessment documentation must include a statement of progress prepared by the faculty member and a formal written response by the evaluator(s). The university will provide reasonable support for the professional development plans within available resources.

At the completion of the schedule stated in the plan, the unit director will make a final report to the faculty member, the review committee, and the dean/librarian. If the director

and the dean/librarian agree that the faculty member has successfully completed the development plan, then the faculty member will be notified of the positive outcome. If the unit director and dean/librarian determine that the faculty member has failed to meet the goals of the professional development plan, dismissal proceedings may be initiated under Tenure, Policy E-50A. Failure to adhere to the professional development plan is considered grounds for dismissal if the deficiencies specified in the plan are of a sufficient magnitude to constitute cause for dismissal under university policy.

Appeal

At any point in the process a faculty member may enter an appeal under university grievance procedures if the faculty member feels that the policies are being unfairly applied. In congruence with Policy E-50A, "Tenure", the burden of proof is on the university to demonstrate that an annual review of tenured faculty is unsatisfactory by departmental standards.

A faculty member subject to termination on the basis of evaluations conducted under this policy will receive specific written reasons for the terminations and have the opportunity for referral of the matter to a non-binding alternative dispute resolution process as described in Chapter 154, Civil Practices and Remedies Code. The opportunity for non-binding alternative dispute resolution will be available only after all internal appeal procedures are exhausted.

~~Source of Authority:~~ General Appropriations Act, Article III, Sec. 422, Board of Regents; President; Vice President for Academic Affairs

Cross Reference: Faculty Handbook, Academic Freedom and Academic Responsibility, A-2.5, Evaluation, Merit Pay, Promotion and Tenure, E-20A, and Tenure, E-50A, Education Code Section 51.942

Responsible for Implementation: Provost and Vice President for Academic Affairs

Contact for Revision: Provost and Vice President for Academic Affairs

Forms: None

Professional and Consultant Services (C-45)

Original Implementation: October 26, 1999

Last Revision: ~~April 13, 2006~~ July 10, 2007

Before entering into a Professional or Consultant Services contract, the department must determine whether the individual should be hired as an independent contractor through the procedures outlined herein or as an employee through the PAR process. To make this determination, refer to the IRS 20-Question test (<http://www.taxprophet.com/apps/active2/indep-mm.html>).

DEFINITIONS

"**Professional Services**" means those services within the scope of the practice, as defined by state law, of:

1. accounting
2. architecture
3. landscape architecture
4. land surveying
5. medicine
6. optometry
7. professional engineering
8. real estate appraising
9. professional nursing

or those services provided in connection with the professional employment or practice of a person who is licensed or registered as

1. a certified public accountant
2. an architect
3. a landscape architect
4. a land surveyor
5. a physician, including a surgeon
6. an optometrist
7. a professional engineer
8. a state certified or state licensed real estate appraiser
9. a registered nurse

Based on State Comptroller ~~Expenditure~~ *Expenditure* Object Codes and associated reporting requirements, the following types of services are also categorized as professional services and will be processed under the same rules and guidelines defined herein:

1. guest lecturers, speakers, artists, entertainers, performers, musicians, etc.
2. ~~guest entertainers~~ educational/training services for state employees
3. ~~guest lecturers~~ veterinary services

- ~~4.guest musicians~~
- ~~5.guest performers~~
- ~~6.guest speakers~~
- ~~7.4. other professional services~~

"Consulting Services" means the service of studying or advising a state agency under a contract that does not involve the traditional relationship of employer and employee.

A consultant may be used only if there is a substantial need for the consulting services and only if the agency cannot adequately perform the services with its own personnel or obtain the consulting services through a contract with a state governmental entity.

"Major Consulting Services Contract" means a consulting services contract for which it is reasonably foreseeable that the value of the contract will ~~equal or~~ exceed \$25,000.

NOTE that the \$25,000 threshold is not a one-time cost, but rather a cumulative amount for on-going consulting services.

"Consultant" means a person that provides or proposes to provide a consulting service. The term includes a political subdivision but does not include the federal government, a state agency, or a state governmental entity.

SELECTION OF A PROVIDER

A "Professional Service" provider is not to be selected on the basis of competitive bid but rather 1) on the basis of demonstrated competence and qualifications to perform the services; and 2) ~~for~~ a fair and reasonable price, as long as professional fees are consistent with and not higher than the recommended practices and fees published by the various applicable professional associations and do not exceed the maximum provided by law.

Architectural, engineering, or land surveying services must be procured in the following manner in accordance with Government Code 2254.

1. Select the most highly qualified provider based on demonstrated competence and qualifications;
2. Attempt to negotiate a contract with the selected provider at a fair and reasonable price;
3. If a satisfactory contract cannot be negotiated with the most highly qualified provider, formally end negotiations with that provider; select the next most highly qualified provider; and attempt to negotiate a contract at a fair and reasonable price. The selection process for architectural, engineering, or land surveying services shall continue in this manner until a contract is accepted by all parties.

A "Consulting Service" provider is to be selected based on demonstrated competence, knowledge, and qualifications and on the reasonableness of the proposed fee for the services. If other considerations are equal, preference shall be given to a consultant

whose principal place of business is in the state or who will manage the consulting contract wholly from an office in the state.

If competitive solicitations will enhance the selection process for either professional or consulting services, contact the Purchasing Director to discuss options for making informal price comparisons or preparing a formal Request For Proposal.

Major Consultant Contracts *greater than \$25,000* ~~or greater~~ must be submitted to the Legislative Budget Board and the Governor's Budget and Planning Office, and must be submitted to the secretary of state for publication in the Texas Register for a minimum of 30 days. The published invitation must include a finding by the President that the consulting services are necessary and an explanation of that finding. The General Counsel's office must be contacted to process this paperwork.

Professional or Consulting Service solicitations *greater than \$25,000* ~~or greater~~ must will be posted on the *Electronic State Business Daily (Marketplace)* ~~up to 21 days prior to the date of service unless Purchasing determines that no value is added by the posting.~~

Professional or Consulting Services \$5100,000 or greater must be approved by the Board of Regents. *Reference (Policy D20.5, Items Requiring Board of Regents Approval; Policy D20.5)*

CONFLICTS OF INTEREST REGARDING CONSULTANTS

Upon submittal of an offer by a private consultant to provide consulting services to SFA, any officer or employee shall report to the President within 10 days of receipt of the offer: 1) any financial interest that the officer or employee has in the private consultant, or 2) any financial interest in the private consultant of anyone related to the officer or employee within the second degree by consanguinity or affinity as determined under *Texas Government Code Chapter 573*. Reference Government Code 2254.032 and *Policy E-56, Ethics Policy E-56*.

RESTRICTIONS ON HIRING PREVIOUS-FORMER OR RETIRED EMPLOYEES

1. HIRING A FORMER PAST EMPLOYEE AS A PROFESSIONAL OR CONSULTANT

State Funds - strictly prohibited within 12 months of the employee's separation date

Local Funds - allowed within 12 months of the employee's separation date ONLY with Presidential approval and ONLY with *local discretionary funds*; ~~the purchase process will follow that outlined in 'Procedures For Securing Professional Or Consultant Services'.~~

2. HIRING A RETIREE AS A PROFESSIONAL OR CONSULTANT

State Funds - strictly prohibited within 12 months of the employee's separation date

Local Funds - allowed within 12 months of the employee's separation date ONLY with Presidential approval and ONLY with *local discretionary funds*; ~~the purchase process will follow that described below.~~

3. HIRING A ~~PAST-FORMER~~ EMPLOYEE/RETIREE AS A CONSULTANT

If a past employee or retiree is hired within 2 years of leaving SFA or any other state agency, the consultant must disclose in his/her offer ~~or contract~~ the following information: a) nature of employment at the agency; b) the date employment was terminated; c) the annual rate of compensation at termination. This requirement does not apply to professional services.

4. HIRING A COMPANY EMPLOYING A ~~PASTFORMER~~ OR RETIRED EMPLOYEE AS A PROFESSIONAL OR CONSULTANT

Any Funds - allowed *under a professional services contract* only if the ~~pastformer~~ or retired employee does not work on a project *within the first 12 months of leaving SFA*, that was similar to his/her duties while employed by SFA ~~within the first 12 months of leaving.~~

5. HIRING AN EXECUTIVE DIRECTOR OF ANY STATE AGENCY FOR ANY CONTRACT

Any Funds - Restrictions apply to contracts ~~for professional or consultant services~~ with a) the executive director of the state agency; b) a person who at any time during the four years before the date of the contract was the executive director of the state agency; c) a person who employs a current or former executive director of a state agency. *Reference (Government Code 669.003) for details.*

PROCEDURES FOR SECURING PROFESSIONAL OR CONSULTANT SERVICES

1. Determine if the need is that of a professional or a consultant service. Contact the Purchasing Director or Office of the General Counsel if assistance is needed in making this determination.
2. Determine if the selection of a professional or consulting service provider would be enhanced by informal price or qualifications comparisons or a formal Request For Proposal or Request for ~~q~~Qualifications process. Contact the Purchasing Director to discuss options.
3. ~~Once the need is identified,~~ **ENTER THE REQUISITION** ~~enter the requisition.~~ Amounts may be estimated. If the vendor will perform essentially the same service on multiple dates, only one requisition is to be entered with separate lines for each date.

4. If the contract is a "Major Consultant Contract", the department must complete a Major Consulting Contract Request form at least 60 days prior to the need for service. The form is to be forwarded to the Office of the General Counsel to facilitate the finding and posting requirements stated above under 'Selection of A Provider'.
5. Negotiate a contract, either directly or through Purchasing. All applicable rules associated with the amounts specified in 'Selection of A Provider' must be followed.
6. Agreements for expense reimbursement only do not require execution of a formal contract. Other professional or consultant agreements require a formal contract be reviewed by the Office of the General Counsel and signed by the President.
7. The department may draw up a contract using samples provided by General Counsel (www.sfasu.edu/genecounsel/howtos2.htm) or Purchasing may complete the contract. The contract may be complex or very simple depending on the nature of the services to be provided and must clearly define:
 - a. The responsibilities of each party, in clear detail;
 - b. The period of time the contract is to be in effect;
 - c. The amount of payment;
 - d. The terms of payment;
 - e. The contractor's federal identification or social security number for payment processing; to secure this information, the department should have the Contractor complete a W9 form. The form can be obtained from the Controller's Office.
8. The contract must be reviewed by SFA General Counsel and signed by the President or other administrator with written delegated contracting authority.
9. The completed contract with signatures of all parties must be forwarded to Purchasing for completion of the Purchase Order.
10. The receiving entry must be made in the FRS system. Payment will be made through normal Accounts Payable procedures. To insure inclusion in a particular ~~Thursday's~~ week's check run, the department should have payment information to Accounts Payable by the previous Friday.
11. The consultant's report, if applicable, must be on file in Accounts Payable before payment will be made.

Source of Authority: ~~Texas Government Code Title 10, Subtitle F, Section 2254; Texas Government Code Title 10, Subtitle F, Section 2252.901; Texas Government Code Title 6, Section 669.003; Vice President for Business Affairs~~

Cross Reference: *Texas Government Code Title 10, Section 2254; Texas Government Code Title 10, Subchapter Z, Section 2252.901; Texas Government Code Title 6, Section 669.003; Ethics Policy E-56; Purchasing Ethics and Confidentiality Policy C-33; Items Requiring Board of Regents Approval Policy D-20.5*

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

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

Forms: ~~Sample forms/clauses available on General Counsel's web~~
~~page,~~ *Professional/Consulting Services Agreement (General Counsel's web-site)*
www.sfasu.edu/genecounsel/howtos2.htm

Reduction In Force of Non-Academic Employees (E-41N)

Original Implementation: July 28, 1986

Last Revision: ~~April 20, 2004~~ July 10, 2007

The purpose of this policy and procedure is to establish a process for effecting a reduction in force. A reduction in force is defined as a layoff of a segment of the work force due to a lack of work, reduction in funding, or reorganization. It is an involuntary termination of employment not involving delinquency or misconduct.

The President of the University may implement a reduction in force in order to meet operating expenses and maintain sound reserves without diminishing capital or generating unwise or impermissible indebtedness. Prior to the implementation, the President shall consult with the vice presidents and other administrators of the President's choice. The consultation shall include a discussion of:

1. anticipated income and expenditures;
2. retrenchment measures which have been taken;
3. reasonable alternatives to reduction in force; and,
4. any other matter the President deems appropriate.

Policy

1. Regular, full-time employees will be given preference for retention over probationary, part-time, or temporary employees.
2. Length of service with the University, ability to perform the work remaining in the affected department, and critical skills required for the remaining work shall be weighed equally in selecting employees for layoff.
3. The University will make every effort to place potentially affected employees in vacant positions for which they qualify.
4. Employees who are laid off as a result of a reduction in force will be given priority consideration for vacant positions for which they qualify.
5. If there are no suitable job openings at the University, Human Resources will provide reasonable assistance to affected employees in finding positions outside the University.

Procedure

1. A director or other administrator instructed by the President to accomplish a reduction in force will prepare a Work Force Profile on all employees in the affected

department or program. The Work Force Profile shall indicate the number of positions to be abolished, discontinued, or vacated, and the names, job titles, length of service, and classification (temporary, probationary, or full-time, regular) of the affected employees.

2. The director or other administrator shall list the employees recommended for separation on a Reduction-in-Force Roster and forward the roster and the Work Force Profile through the appropriate vice president to the Director of Human Resources.
3. The Director of Human Resources shall review and certify that the Reduction-in-Force Roster complies with the provisions of this policy.
4. After certification, every affected department's roster shall be sent to the President for final approval.
5. Upon approval by the President, the director or other administrator of the department will meet with each affected employee, review the reason for the reduction in force, provide the employee with written notification of separation, and refer the employee to Human Resources. Whenever possible, a written notification should be given at least thirty (30) days prior to the effective date of the reduction in force.
6. In Human Resources, each affected employee will complete a new application. Human Resources will review the application and interview the employee.
7. If there are suitable openings with the University, the employee will be referred to those job vacancies for which the employee is qualified.
8. If there are no suitable openings, the University may replace an employee in one department with an employee who has more seniority in the same or other department. The University may exercise this option in cases where both employees are in the same or similar job classification according to the University's validated job descriptions, or the employee will be provided with placement assistance for positions outside the University. The affected employee who is transferred under this option shall receive the compensation budgeted for the position to which the employee has been transferred.
9. Human Resources will provide each affected employee with information regarding unemployment benefits from the Texas Workforce Commission and other available assistance.
10. Employees who are laid off as a result of a reduction in force will be recalled to the next available position for which they qualify. The right to recall shall be granted on a priority basis. Length of service with the University, ability to perform the work in the affected department, and critical skills required for the work shall be weighed equally in selecting employees for recall.
11. A notice of recall shall be sent to affected employees at the last known address according to University records.

12. A reasonable period of time not to exceed seven (7) days will be allowed for the affected employee to reply. The University may grant written extension when there are extenuating circumstances.
13. The right to recall shall cease six (6) months after layoff.
14. An employee on layoff from the University who rejects a recall or job offer for a position for which he/she qualifies shall forfeit further rights to recall.
15. Each employee who is laid off as a result of a reduction in force may appeal the decision in accordance with the Procedure for Category I Grievances under the Grievance and Appeals Procedure for Non-Academic Employees. The appeal shall begin at Step Three. The burden of proof is on the employee, and the scope of the review is limited to the opportunity for the employee to establish that the layoff was made on a constitutionally impermissible or unlawful basis or an arbitrary or capricious basis, or that this policy and procedure was substantially violated.

Source of Authority: Board of Regents, President

Cross Reference: None

Responsible for Implementation: *President*

Contact for Revision: President

Forms: None

Returned Checks (C-35)

Original Implementation: September 1, 1987

Last Revision: ~~July 8, 2004~~ *July 10, 2007*

A returned check is defined as any check or electronic payment returned to the University unpaid due to no fault of the bank or the University.

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

~~Checks returned to the University for insufficient funds, payment stopped, or account closed will be collected by CheckMate. The Business Office shall assess a thirty dollar (\$30) fee plus applicable sales tax for each such check. These checks may be collected by CheckMate or other collection service. The Business Office shall assess a thirty dollar (\$30) fee plus applicable sales tax for each such returned check. Returned checks on student or departmental accounts may be submitted for collection to CheckMate or other check verification and collection service or the county attorney. If a delinquent account is turned over to a collection agency, a~~Applicable ~~collection~~ charges assessed by the collection agency will be charged to the student's account.

Returned checks received from departmental deposits will be charged back to the originating account and the department involved will be notified. If a returned check is received from a donor, the University will charge back the original entry recording the gift to the Development Office. The Development Office may make contact with the donor for resolution.

~~In certain instances, checks will be turned over to the county attorney for collection.~~

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

WEBCHECK

~~Checks processed through WebCheck and returned to the University for insufficient funds, payment stopped, or account closed, will be collected by the University. The Business Office shall assess a thirty dollar (\$30.00) fee for each returned check. The amount of the returned check and the twenty dollar (\$30.00) fee will be charged to the account of the individual.~~

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

After receipt of three returned checks from any individual, the University reserves the right to refuse checks from those individuals, and may demand payment by cash, cashier's check, credit card or money order. Additionally, legal action may be taken.

Employees with returned checks must make restitution to the University within ten days of notification. Failure to make restitution within ten business days of notification may result in disciplinary action

Cross Reference: C-6 Check Cashing

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Controller

Forms: None

Special Purchases (C-36)

Original Implementation: Unpublished

Last Revision: ~~January 19, 2006~~ July 10, 2007

The following items require special consideration for proper processing:

1. **Advertising copy:** Requires approval by the ~~Director~~ Office of Public Affairs prior to release. See *Policy D-39 University Publications*.
2. **Account Types:** Purchasing generally views the distinction between types of accounts as follows:

1xxxxx (except for the 17xxxx series); State Appropriated Funds - Use of funds must relate directly to the educational purpose of the University.

17xxxx; HEAF and Instructional Capital (IC) – Use of funds must be used for the purchase of equipment only. Books and videos may also be purchased with HEAF and IC. Maintenance may be purchased only if purchased concurrently with equipment.

2xxxxx; Designated Funds other than Course Fee Accounts - Use of funds is designated by the University and must relate to the educational purpose of the University or be of benefit to the University department.

2xxxxx; Course Fee Accounts – Use of funds must be for the specific course to which it applies.

3xxxxx; Auxiliary Funds - Use of funds must be related to a University business type enterprise.

4xxxxx; Restricted Grant Funds – Use of funds is restricted to the purpose and/or restrictions of the grant.

5xxxxx; ~~Gift~~ Discretionary Funds – Use of funds is restricted to certain departments or specific purposes including use at the discretion of the Account Manager/Department Head.

09xxxx; Agency Funds - Use of funds is never processed through the requisition/purchase order process. See *Policy C-01.2 Agency Accounts* for detailed information about the use and disbursement of funds from these accounts.

3. **Aggregate Total \$50,000/100,000 Or Greater:** Requires Board of Regents approval unless otherwise exempted by *Policy D-20.5 Items Requiring Board of Regents Approval* or *Policy C-9 Contracting Authority*.

4. **Bus Charters:** Requires standard contract from vendor plus Addendum to Charter Bus Contract. See *Preferred Vendor Contracts for annual contracts*.
5. **Consultant Contracts:** Review the *Policy C-45 Professional and Consultant Services Policy, C-45*, carefully before making any commitment on behalf of the University.
6. **Purchases from Employees:** See *Policy C-27 Purchases from Employees*.
7. **Food Purchases:** All purchases of food must be certified by the account manager in accordance with *Policy C-13 Food Purchases and is prohibited on certain accounts*.
8. **Insurance:** Purchase of insurance is to be submitted on a Purchase Requisition and requires approval by the State Office of Risk Management. Specific insurance requirements should be brought to the attention of the *Environmental Health, Safety and Risk Management Officer*.
9. **Interagency and InterLocal Contracts:** See *Policy C-18 Interagency and Interlocal Contracts*.
10. **Memberships:** See *Policy C-17 Memberships*.
11. **Moving Expenses:** See *Policy C-21 Moving Expenses*.
12. **Printing:** University Printing Services is to be utilized to the extent possible for printing and duplication. All official University publications require editorial approval prior to printing regardless of the source of printing services. See *Policy D-39 University Publications*. ~~All printing requires competitive bids, regardless of the dollar amount, if using state funds.~~
13. **Professional Services:** Review the *Policy C-45 Professional and Consultant Services Policy C-45* carefully before making a commitment on behalf of the University.
14. **Proprietary Purchases:** See *Policy C-26 Proprietary Purchases*.
15. **Radioactive or Radiation Producing Materials or Equipment:** See *Policy D-27 Radioactive or Radiation Producing Material or Equipment*.
16. **Real Property – Rental, Lease or Purchase:** The rental, lease or purchase of real estate requires approval of the Vice President for Finance and Administration.
17. **TIBH(Texas Industries for the Blind and Handicapped):** Required source if using state funds. If TIBH is not used an exception report must be completed and submitted to the Director of Purchasing.
18. **Used Equipment:** The purchase of used equipment valued over \$5,000 requires additional documentation. See *Policy C-29 Purchase of Used Equipment or Supplies*.

Source of Authority: ~~Texas Government Code, Title 10, Subtitle D, Chapters 2151 through 2176, 2254 and General Appropriations Act; Board of Regents; Vice President for Finance and Administration; President~~

Cross Reference: Agency Accounts, Policy C01.2; Food Purchases, Policy C-13; Memberships, Policy C-17; Moving Expenses, Policy C-21; Proprietary Purchases, Policy C-26; Purchases From Employees, Policy C-27; Purchase of Used Equipment or Supplies, Policy C-29; Professional and Consultant Services, Policy C-45; Radioactive or

Radiation Producing Materials or Equipment, Policy D-27; University Publications, Policy D-39

Responsible for Implementation: Vice President for Finance and Administration

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

Forms: Purchase Requisition (~~See Policy C-30 Purchase Requisition~~ *Use FRS System*); *Preferred Vendor Contracts (Purchasing's website)*; *Addendum to Charter Bus Contract (available on General Counsel's website)*

Stone Fort Museum Collections (F-25)

Original Implementation: April, 1982

Last Revision: ~~April 22, 2003~~ July 10, 2007

The Stone Fort Museum selectively collects artifacts which the Museum's Curator determines are useful in interpreting the prehistory and history of East Texas prior to 1900 with special emphasis on the Spanish and Mexican periods beginning in 1690 with the establishment of the Spanish Mission Tejas and ending with the overthrow of the Mexican government in 1836 by Texas revolutionists.

Permanent Acquisition Policies

1. The Museum may add objects to the collection by means of gifts, bequests, purchases, exchanges or any other transactions by which title to the objects passes to the Museum. Criteria for acceptance to the permanent collection are the following:
 - a. Consistency with the museum's focus
 - b. A clear title available from the source of acquisition
 - c. Adequacy of documentation
 - d. Acceptable condition
 - e. Ability of the museum to care properly for and use the acquisition
 - f. Research potential
 - g. Educational, interpretive, and exhibit potential
 - h. Intrinsic value possessing associations with important events or individuals, age, or typicality
2. Donations of artifacts that meet the Museum's collecting purposes are sought and encouraged. Potential donors must present evidence of clear, legal title to any gift, and must complete a "Gift Agreement" form for each donation. Items of questionable provenance or obtained through illicit trade shall not be acquired.
3. In accepting all collections, regardless of the mode of acquisition, the Museum seeks to acquire, in addition to property rights, any copyright, patent, and trademark that may legally restrict the Museum's full use of the acquisition.
4. All donations are tax deductible; however, the Museum assumes no responsibility for evaluating donations.
5. All donations become state property and therefore, must be outright and unconditional gifts to be used at the discretion of the Museum under state laws regulating the use of state property.
 - a. The Museum must accept each gift without any condition that it be kept intact, that it be exhibited, either temporarily or permanently, or that the Museum keep the gift permanently.
 - b. The Museum reserves the right to restore, reconstruct, refurbish or repair any part of any gift.
6. The Museum does not accept any gift it cannot use, but will assist prospective donors in finding an appropriate home for the object.

7. In the event that a gift is tendered but not accepted by the Museum, it must be removed from the Stone Fort Museum within thirty days of notification. All items not removed by this deadline shall automatically become the property of the Museum and shall be subject to disposal.
8. All gifts must be reported to the office of the Vice President for ~~University Advancement-Development~~ by completing a "Report of Gifts Received" form. (See Gift policy.)

Incoming Loan Policies

1. Because of the expense involved in housing, handling, maintaining, insuring and exhibiting collections, the Museum does not accept artifacts on loan for extended periods. Temporary loans are considered for special exhibits or programming, but only for assigned time periods. An "Incoming Loan Agreement" form must be completed prior to the loan of objects.
2. All material loaned to the Museum will be treated with care and will be subject to collections care procedures governing permanent collections.
3. All loan items must be removed from the Stone Fort Museum on the date stated on the "Incoming Loan Agreement" form. All items not removed by thirty days from this deadline shall automatically become the property of the Stone Fort Museum and shall be subject to museum policies. ~~Effective September 1, 1987, Texas Senate Bill 952 amends the Texas Property Code by adding Title 6A, Chapter 80-. This bill establishes the ownership for loaned cultural property that has been abandoned by the lender, establishes uniform procedures for the termination of loans of property to museums, allows museums to conserve loaned property under certain conditions, and limits actions to recover loaned property. Property on loan to a museum for 15 years or more and to which no person has made claim according to the records of the museum, is considered to be abandoned and becomes the property of the museum if the museum has given the lender notification and unless there is an unexpired loan agreement to the contrary.~~

Outgoing Loan Policies

1. The Museum loans collection material solely for educational or research purposes. Borrowed items remain the property of the Museum and may not be claimed, mortgaged, loaned, assigned, used as collateral, or otherwise encumbered by the borrower. The borrower must complete an "Outgoing Loan Agreement" form.
2. The borrower is prohibited from photographing or digitally recording objects on loan without written consent of the Stone Fort Museum, and any prints or digital recordings of the loaned material may not be published for any purposes beyond educational use without written consent of the Stone Fort Museum.
3. Any and all use of the loan material will be credited to the Stone Fort Museum, Stephen F. Austin State University.

4. The borrower will exercise all reasonable precautions to protect the loan from damage, loss, destruction, or alteration. The borrower may not glue, pin, punch, drill, tape, nail, tack, or otherwise violate the integrity of the loan, nor may the borrower clean, repair, retouch, or otherwise alter the loan.
5. In the event of damage, loss, alteration, or any other change in the condition of the loan, the borrower must immediately notify the Stone Fort Museum in writing. Damage or loss in shipment must also be reported to the Museum immediately.

Source Of Authority: ~~Texas Property Code, sec. 80.001 et seq.; President; Provost and Vice President for Academic Affairs~~

Cross Reference: ~~None~~ *Texas Property Code, sec. 80.001 et seq.*

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

Contact For Revision: Curator of the Stone Fort Museum

Forms: Gift Agreement, Incoming Loan Agreement, Outgoing Loan Agreement (available in the Stone Fort Museum), Report of Gifts Received (available in ~~University Advancement~~ *the Office of Development*)

Student Conduct Code (D-34.1)

Original Implementation: January 1998

Last Revision: ~~July 13, 2006~~ July 10, 2007

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

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

1. Hazing

(Also see Policy D-16; Hazing)

~~(See Policy and Procedures and General Regulations section of the SFA Web pages, D-16.)~~

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

Hazing acts include but are not limited to:

- a. any type of physical brutality such as whipping, beating, striking, branding, electronic shocking, placing a harmful substance on the body, or similar activity;
- b. any type of physical activity such as sleep deprivation, exposure to the elements, confinement in a small space, calisthenics or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;
- c. any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug or substance which subjects the student to unreasonable risk of harm or that adversely affects the mental health of the student;
- d. any activity that intimidates or threatens the student with ostracism, that subjects the student to extreme mental stress, shame or humiliation or that adversely affects the mental health or dignity of the student or discourages the student from entering or remaining registered at the institution, or that may reasonably be expected to cause a student to leave the organization or the institution rather than to submit to the acts described in this policy;
- e. any activity that induces, causes, or requires the student to perform a duty or task, which involves a violation of the Penal Code.

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

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

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

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

Sanctioned Student Organizations

In compliance with state law, any student organization found responsible of hazing through regular University disciplinary procedures will be listed for three (3) years in any University publication containing the hazing policy. The three-year publication will begin as soon as an organization's name can be placed in the first available publication containing the policy. A date in parenthesis following an organization's name will indicate the last year the organization's name will be included.

2. Illegal Drugs

(Also see Policy ~~Referenced in the Policy and Procedures and General Regulations section of the SFA Web pages, Policy D-19; *Illicit Drugs and Alcohol Abuse*, at~~

~~http://www.sfasu.edu/upp/pap/GENERAL_REGULATIONS/illicit_drugs_and_alcohol.html.)~~

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

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

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

22. Improper use of student identification card (*also see Policy F-27; Student ID Cards*); http://www.sfasu.edu/upp/pap/university_services/student_id_cards.html). This includes allowing use of card by another to obtain services such as, but not limited to meals, event admission, and library services.
- 21.
23. Unauthorized or illegal use of alcoholic beverages (*also see Policy D-19; Illicit Drugs and Alcohol Abuse*) (~~Policy D-19,~~ http://www.sfasu.edu/upp/pap/GENERAL_REGULATIONS/illicit_drugs_and_alcohol.html) or products on University property or at University-sponsored activities, including, but not limited to, intercollegiate and intramural athletic events on University grounds and academic and administrative buildings. Housing policies dictate use of alcohol in residence halls and on-campus apartments.
- 22.
23. Unauthorized use, possession, or storage of fireworks on University property.
24. Unauthorized throwing of any object in or from a University facility.
25. Littering on University property or at University-sponsored activities.
26. Unauthorized use of University computing equipment, services or facilities. Such unauthorized usage may include, but not limited to, improperly accessing or altering academic or administrative records, and/or information contained in an instructional or research account, harassment through e-mail, possession of unauthorized passwords, destruction of hardware or software, unauthorized copying of software, activities related to personal for-profit ventures unrelated to the educational mission of the University or illegal activities such as copyright infringement (~~Policy D-42,~~ http://www.sfasu.edu/upp/pap/general_regulations/digital_millennium_copyright.html) resulting ~~form~~ *from* unauthorized file sharing.
27. The unauthorized use of the emergency exit doors of the University shuttle buses. (Use is authorized in an emergency endangering the life and safety of passengers and driver).
28. Sexual harassment by a student of any member of the University community as delineated in *Policy E-46, Human Resources under "Discrimination Complaints/Sexual Harassment"* (~~Policy E-46,~~ http://www.sfasu.edu/upp/pap/personnel_services/discrimination_complaints.html) and *Policy E-11, "Discipline and Discharge"* (~~Policy E-11,~~ http://www.sfasu.edu/upp/pap/personnel_services/discipline_and_discharge.html) of the SFA Policy and Procedures section of the *Manual on the SFA Website* pages.
29. Selling or distributing course lecture notes, handouts, readers or other information provided by an instructor, or using them for any commercial purpose without the express permission of the instructor.
30. Violating any rule, regulation, or law for which the University could be penalized including but not limited to fire, safety, or environmental codes.

31. Disrupting the normal University community living environment to the extent that the rights and/or safety of others are denied.

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

Cross Reference: *Hazing (Policy D-16); ~~SFASU~~ Illicit Drugs and Alcohol Abuse (Policy D-19); Student ID Cards (Policy F-27); Digital Millennium Copyright (Policy D-42); Discrimination Complaints/Sexual Harassment (Policy E-46); Discipline and Discharge (Policy E-11)* ~~Web Pages~~

Responsible for Implementation: *Vice President for University Affairs*

Contact for Revisions: Judicial Office

Forms: None

Student Records (D-13)

Original Implementation: 1974

Last Revision: ~~October 14, 2004~~ July 10, 2007

The purpose of this policy is to comply with federal law which: (1) grants to students the right of access to their education records, (2) protects students from illegal use of their education records, (3) restricts the disclosure of the social security account number of students.

I. Definitions

For the purposes of this policy, the University adopts the following definitions:

- a. Student means any person who attends or who has attended the University.
- b. Education records means any record (in handwriting, print, tapes, film, or other medium) maintained by the University or an agent of the University which is directly related to a student, except:
 - ~~0-1.~~ a personal record kept by a staff member, if it is kept in the personal possession of the individual who made the record, and information contained in the record has never been revealed or made available to any other person except the maker's temporary substitute;
 - ~~1-2.~~ an employment record of an individual whose employment is not contingent on the fact that he/she is a student, provided the record is used only in relation to the individual's employment;
 - ~~2-3.~~ records maintained by the University Police Department if the records are maintained solely for law enforcement purposes, are revealed only to law enforcement agencies of the same jurisdiction, and the Department does not have access to education records maintained by the University;
 - ~~3-4.~~ records maintained by University Health Services if the records are used only for treatment of a student and made available only to those persons providing the treatment; and,
 - ~~4-5.~~ alumni records which contain information about a student after he/she is no longer in attendance at the University and the records do not relate to the person as a student.

II. Annual Notification

~~A brief description of the types of records, as well as student and institutional rights, shall be published annually in the Student Handbook and Activities Calendar.~~ Annual notification is published on the SFA website and in the schedule of classes. Specific

information may be obtained by consulting with administrative officials listed in this policy.

III. **Student Rights**

Each student has the right:

- a. to be provided with a list of the types of education records maintained by the University;
- b. to inspect and review the contents of his/her records, excluding the exceptions included in this policy;
- c. to obtain copies of his/her records at personal expense;
- d. to explanations and interpretations of his/her records; and,
- e. to a hearing to challenge the contents of his/her records.

IV. **Procedure to Inspect Education Records**

Students may inspect and review their education records upon request to the appropriate record custodian.

Students should submit to the record custodian or an appropriate University staff person a written request which identifies as precisely as possible the record or records he/she wishes to inspect.

The record custodian or an appropriate University staff person will make the needed arrangements for access as promptly as possible and notify the student of the time and place where the records may be inspected. Access must be given in 45 days or less from the receipt of the request.

When a record contains information about more than one student, the student may inspect and review only the records which relate to him/her.

V. **Types and Custodians of Education Records**

Type of Record	Content	Custodian
Academic	Grades, classification, academic standing, application for admission, and admissions scores	Registrar, Director of Admissions
Financial	Amount of financial assistance given by University and type of assistance	Director of Financial Aid, Controller

Disciplinary	Nature of offense and type of University action	Dean of Student Development <i>Judicial Officer</i>
Placement	Academic record and documents of recommendations	Director of Counseling and Career Services
Health	Medical history to include all treatment by University physicians	Director of Health Services
Counseling	Test scores and counseling sessions	Director of Counseling and Career Services

VI. Fees for Copies of Records

The fee for copies of education records will be ten (10) cents per page.

VII. Right of University to Refuse Access

The University reserves the right to refuse to permit a student to inspect the following records:

- a. the financial statement of the student's parents;
- b. letters and statements of recommendation for which the student has waived his/her right of access, or which were placed in file before January 1, 1975;
- c. records connected with an application to attend the University if that application was denied; and,
- d. those records which are excluded from the definition of education records.

VIII. Refusal to Provide Copies

The University reserves the right to deny transcripts or copies of records not required to be made available by law in any of the following situations.

- a. The student has an unpaid financial obligation to the University.
- b. There is an unresolved disciplinary action against the student.

IX. Disclosure of Education Records

The University will disclose information from a student's education records only with the written consent of the student, except:

- A. to school officials who have a legitimate educational interest in the records;

1. A school official is a person:
 - a. employed by the University in an administrative, supervisory, academic or research, or support staff position;
 - b. appointed to the Board of Regents;
 - c. employed by or under contract to the University to perform a special task.

2. A school official has a legitimate educational interest if the official is:
 - a. performing a task that is specified in his/her job description or by a contract agreement;
 - b. performing a task related to a student's education;
 - c. performing a task related to student discipline;
 - d. providing a service or benefit relating to the student or student's family, such as health care, counseling, job placement or financial aid.

- B. to officials of another school, upon request, in which a student seeks or intends to enroll;
- C. to certain officials of the U.S. Department of Education, the Comptroller General, and state and local educational authorities, in connection with certain state or federally supported education programs;
- D. in connection with a student's request for or receipt of financial aid, as necessary to determine the eligibility, amount or conditions of the financial aid, or to enforce the terms and conditions of the aid;
- E. in compliance with a state law requiring disclosure that was adopted before November 19, 1974;
- F. to organizations conducting certain studies for or on behalf of the University;
- G. to accrediting organizations to carry out their functions;
- H. to parents of an eligible student who claim the student as a dependent for income tax purposes;
- I. to comply with a judicial order or a lawfully issued subpoena;
- J. to appropriate parties in a health or safety emergency.

Proof of status from the requesting individual or organization will be required to gain access to education records.

X. Record of Requests for Disclosure

The University will maintain a record of all requests for and/or disclosure of information from a student's education records. The record will indicate the name of the party making the request, any additional party to whom it may be disclosed, and the legitimate interest the party had in requesting or obtaining the information. The record of requests may be reviewed by the student.

XI. Directory Information

The University designates the following items as Directory Information:

- ~~a.~~ name,
- ~~a.b.~~ all addresses, including University issued email address
- ~~b.c.~~ all telephone numbers,
- ~~e.d.~~ major field of study,
- ~~d.e.~~ academic classification,
- ~~e.f.~~ participation in officially recognized activities and sports,
- ~~f.g.~~ weight and height of members of athletic teams,
- ~~g.h.~~ dates of attendance and enrollment status
- ~~h.i.~~ degrees and awards received,
- ~~i.j.~~ previous schools attended,
- ~~j.k.~~ photograph, and
- ~~k.l.~~ class roster.

The University may disclose any of these items without prior written consent, unless the student notifies the Registrar in writing to the contrary by September 1 of each fiscal year.

XII. Review and Destruction of Education Records

The University may destroy obsolete records provided the right to access has been followed as outlined in Section 3 of the Family Educational Rights and Privacy Act.

XIII. Correction of Education Records

A student has the right to request a correction on his/her education records that they believe are inaccurate, misleading, or in violation of their privacy rights. The University shall attempt to settle the disputed contents of an education record by informal proceedings. If informal proceedings fail to achieve a satisfactory settlement, the student may request a formal hearing using the following procedures.

- a. To receive a hearing, a student must file a written request with the President of the University. In so doing, the student should identify the part of the

- education record he/she wants amended and specify why he/she believes it is inaccurate, misleading, or in violation of his/her privacy rights.
- b. Within 10 working days of receiving the request, the President will arrange for a hearing, and notify the student at least 5 working days in advance of the date, place, and time of the hearing.
 - c. The hearing will be conducted and the decision rendered by a hearing officer, appointed by the President, who does not have a direct interest in the outcome of the case. The President shall name the hearing officer in the written notice sent to the student.
 - d. The student shall be afforded a full and fair opportunity to present evidence relevant to the issues listed in the original request to amend his/her education records.
 - e. The hearing officer will prepare a written decision based solely on the evidence presented at the hearing.
 - f. If the hearing officer decides that the disputed contents of the education record are inaccurate, misleading, or in violation of the student's right to privacy, he/she will amend the record, and notify the student in writing that the record has been amended.
 - g. If the hearing officer decides that the disputed contents of the education record are not inaccurate, misleading, or in violation of the student's right to privacy, he/she will notify the student of his/her right to place a statement in the education record commenting on the disputed contents and/or a statement setting forth the student's reasons for disagreeing with the decision.
 - h. The student's statement will be maintained as part of the student's education record as long as the disputed contents are maintained by the University. If the University discloses the disputed contents of the education record to any person, it must also disclose the student's statement to the person.

XIV. Disclosure of Social Security Account Number

Federal law requires that when any federal, state or local government agency requests an individual to disclose his/her social security account number (SSAN), that individual must also be advised whether that disclosure is mandatory or voluntary, by what statutory or other authority the number is solicited, and what uses will be made of it. Accordingly, students, or applicants for admission as students, are advised that disclosure of a student's SSAN is mandatory as a condition for participation in certain activities at the University.

Under the mandatory category, the SSAN is used to verify the identity of the student, and as an identifier to record necessary data accurately for such activities as admissions; housing and food services; determining and recording eligibility for student financial assistance to include loans, scholarships, and grants; student

employment; recording entitlement to and disbursement and repayment of loans; recording entitlement to and payment of scholarships, grant allowances, and official student travel and per diem; determining and recording eligibility for and participation in athletic and similar events; and such other related requirements which may arise.

Disclosure of a student's SSAN is voluntary for certain other activities. Under the voluntary category, the SSAN is used to verify the identity of the student and to record data accurately for such activities as testing, reporting and evaluation of the ACT and the SAT; recording and reporting student grades and related academic data; registering for placement services to include preparation of resumes and furnishing information to prospective employers and such other related uses which may arise.

Authority for requiring the disclosure of a student's SSAN is grounded on Section 7(a)(2) of the federal statute which provides that an agency may continue to require disclosure of an individual's SSAN as a condition for the granting of a right, benefit, or privilege provided by law where the agency required this disclosure under statute or regulation prior to January 1, 1975, in order to verify the identity of an individual.

The University has for several years requested the disclosure of the SSAN on student application forms and other necessary student forms and documents used pursuant to statutes passed by the State of Texas and the federal government and to regulations adopted by agencies of the State of Texas and the federal government, and by the Board of Regents of the University.

Source Of Authority: ~~Family Educational Rights and Privacy Act of 1974, 20 U.S.C. sec. 1232 et seq.; P.L. 93-579, sec. 7; President; Vice President for Academic Affairs;~~

Cross Reference: *Family Educational Rights and Privacy Act of 1974, 20 U.S.C. sec. 1232 et seq.; 34 C.F.R. Part 99; 5 U.S.C. 552a; SFA Web Pages*

Responsible for Implementation: *President; Provost/Vice President for Academic Affairs*

Contact for Revision: General Counsel

Forms: None

Time Clock (E-51.1N)

Original Implementation: October 14, 1997

Last Revision: ~~July 8, 2004~~ July 10, 2007

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

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

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

For employees in Departments using scan-card time clocks: Lost cards must be reported to your supervisor immediately. When cards are lost or misplaced, employees will be

issued one replacement card at no cost. Additional replacement cards will cost \$5.00 each.

Source of Authority: ~~Director of Human Resources~~

Cross Reference: None

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

Contact For Revision: Director of Human Resources

Forms: None

Transfer Admission A-44

Original Implementation: September 8, 1978

Last Revision: ~~April 22, 2003~~ July 10, 2007

Students who have previously attended a regionally accredited institution must apply as transfer students.

Transfer applicants who have satisfactorily completed fewer than 15 semester hours of transferable college credit must have an overall 2.0 grade point average on all transferable work attempted and must also satisfy eligibility requirements for first-semester freshmen. Transfer applicants who have completed more than 15 semester hours must:

1. Not currently be on suspension from another educational institution, and
2. Have an earned grade point average of at least 2.00 (on a 4.00 scale) on all transferable work.

Although transfer students with less than a 2.00 grade point average are not eligible for admission into the fall or spring semesters, those who are not currently on academic suspension at another institution are eligible for provisional admission to the summer semester. Summer provisional students who complete up to nine semester hours, excluding developmental courses, of work as approved by their academic dean and earn at least a 2.00 grade point average on all work attempted may be eligible to enroll for the following semester.

Applicants who are denied admission as transfer students may appeal for admission through the Transfer Appeals Program. Appeals are initiated in the Office of Admissions by filing the appropriate materials. Appeals are reviewed by the Admission Appeals Committee. Following the review of appeals, the committee submits recommendations to the ~~Director of Admissions~~ *Executive Director of Enrollment Management* and the *Provost and Vice President for Academic Affairs* for final decision. Students admitted through this procedure are assigned to the Academic Advising Center for advisement.

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

Cross Reference: General Bulletin

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

Contact for Revision: Provost and Vice President for Academic Affairs

Forms: None

Transfer Credits (A-45)

Original Implementation: November 1, 1977

Last Revision: ~~April 22, 2003~~ July 10, 2007

Stephen F. Austin State University accepts transfer credit from regionally accredited institutions *on a course-by-course basis* as determined by the Office of Admissions. All courses are examined in terms of content, level, and credit hours awarded, and are subject to the following conditions:

- An SFA course prefix and number are awarded when the content of the transfer course is equivalent, and if the course was taught on the same level and in the same department at the transferring institution.
- General *enbloc* credit is assigned to a course that is transferable but is not an exact equivalent by level or by description. In this case, the credit is awarded on the same level as was attempted at the transferring institution, and the student's academic Dean will determine its acceptability into degree programs.
- Most academic credit is transferable with the exception of remedial or developmental ~~and technical or vocational~~ courses. Some departments may limit the number of credit hours that ~~they may apply~~ *be applied* toward a degree. ~~in certain disciplines such as band, choir, bible, horticulture, and kinesiology.~~
- A maximum of 66 academic hours plus four hours of kinesiology activity from junior or community colleges may apply toward a degree.
- *Courses transferred from a community college may be transferred only as a lower-level course and may not be considered as advanced upper-level credit.*
- There is no limit for credits transferred from senior colleges. However, all students must complete a minimum of 42 semester hours *including 36 hours of advanced credit* at SFA in order to earn a bachelor's degree.
- Course work earned from educational experience obtained in the armed forces is accepted in transfer on a limited basis. The "Guide to the Evaluation of Educational Experience in the Armed Services" is used by the Office of Admissions for evaluating military credit. *Military transcripts such as the AARTS, SMART, and Community College of the Air Force are used in the evaluation review process.*
- Credit for vocational/technical courses, experiential learning and professional certification programs can only be used in the Bachelors of Applied Arts and Sciences degree program. *Individuals wanting additional information should contact the Dean's Office of the College of Liberal and Applied Arts.*

Students may repeat courses taken at Stephen F. Austin State University at other accredited institutions. Transfer hours will, however, be governed by the following rules:

1. The grades earned at SFA will remain on the transcript;
2. The hours attempted at SFA will not be changed as a result of course work completed elsewhere;

3. Transfer credit for a course originally taken at SFA has no effect on the grade point average for work attempted at SFA;
4. Transfer hours of repeated work may be used to satisfy degree requirements other than those related to grade point average.

The Texas Higher Education Coordinating Board policies and procedures will be followed regarding transfer of core curriculum courses, fields of study courses, and to resolve any transfer credit dispute.

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

Cross Reference: General Bulletin

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

Contact for Revision: Provost and Vice President for Academic Affairs

Forms: None

University Logo/Seal (D-38)

Original Implementation: Unpublished

Last Revision: ~~July 8, 2004~~ July 10, 2007

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

The official seal is reserved for University use *only*.

Cross Reference: 15 U.S.C. sec. 1127 et seq.; Texas Business and Commerce Code sec. 16.01 et seq.

Responsible for Implementation: General Counsel, Executive Director of Marketing

Contact for Revision: Athletic Director

Forms: SFA Art Approval Form

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

Cross Reference: None

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

Forms: None

University Web Development Site (D-45)

Original Implementation: August 1, 2000

Last Revision: July 8, 2004 July 10, 2007

I. Purpose

University web sites are important recruiting and retention tools for the university and sources of vital information for current and prospective students, faculty and staff. Consequently, the web site must be managed to ensure that information is accurate, pertinent, and easily accessible to users while at the same time recognizing the creative diversity of campus departments and programs.

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

This policy establishes standards for all university web pages. A university web page is any page linked to the university's primary or recruitment web sites in which university resources (i.e. money, staff time, server space etc.) are involved in any way in the page's creation and distribution regardless of location or subject matter. Only web pages prepared and maintained in accordance with university policy will be linked. This policy and its associated style guides are designed to help the university create a clear and consistent identity on the web and to help web developers create pages that communicate clearly and properly display and use the elements of SFA's visual identity. This policy is intended to supplement state law, rules, and regulations. Web page developers should refer to the laws and regulations concerning state web sites in the statutes 206.1-6

[http://info.sos.state.tx.us/pls/pub/readtac\\$ext.ViewTAC?tac_view=4&ti=1&pt=10&ch=206&rl=Y](http://info.sos.state.tx.us/pls/pub/readtac$ext.ViewTAC?tac_view=4&ti=1&pt=10&ch=206&rl=Y).

II. Publications Policy

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

III. Copyright and Privacy

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

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

IV. Commercial activity

Commercial activity is not allowed on any university site.

V. Responsibility

- A. The University Web Development Committee is responsible for establishing and maintaining a priority structure for web development, reviewing cases of conflicting priority, and advising the Web Development Office with strategic planning and management. The committee arbitrates disputes and reviews all requests for exemptions from this policy. Pending the committee's review, the decisions of the Campus Webmaster regarding disputes, exemptions or other requests will be in effect.
- B. A library staff member designated by the university Library Director serves as Campus Webmaster. The Campus Webmaster oversees the Web Development Office (WDO). The WDO has overall responsibility for the operational management of the university's primary and recruitment web sites. The WDO designs the university home page and index pages; provides leadership in the development of university web policy and guidelines; assesses user satisfaction; establishes and maintains an SFA Webmasters group in my SFA; works with the Web Development Committee on matters pertinent to web development and management; and maintains links to organizational unit web pages in accordance with this policy. The WDO also creates official university web templates and assists departments in the development of site designs that are consistent with university policy, mission and image.
- C. The administrative head of each campus organizational unit maintaining a web site is responsible for seeing that the site adheres to this and other university policies.
- D. Individuals designated by the Director of Information Technology Services manage the main university web server.

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

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

- ~~1. Pagemasters are responsible for web page quality. They should continuously review their organizational unit pages for accuracy, clarity, proper grammar and spelling and consistency with university and organizational unit mission, policy and visual identity.~~
- ~~2. Webmasters are responsible for the technical maintenance of the organizational unit's web pages. They ensure that proper linkages are maintained between pages and to the university home page. They check and remove dead links on a regular basis and otherwise ensure that pages perform as intended and are maintained in accordance with the technical requirements of state law, this policy, university style guides and other university guidelines.~~
- ~~3. Server Administrators are required for all organizational units which maintain their own servers. Server Administrators are responsible for maintaining and monitoring their organizational unit's files in accordance with this policy. Organizational units with collections on the main SFASU server should work with the University Server Administrator to utilize these features. Unless their files are exceptionally large, organizational units are encouraged to use this server in lieu of maintaining their own. All servers must conform to university policy "Computer & Network Security" D-8.1.~~

~~VI. Web Page Standards~~

~~Design~~

University web sites must either use a standard SFA web template provided by the University Web Development Office, or the web site owner must work with the WDO to develop an approved non-standard template. Web site owners wishing to develop their own non-standard template will contact the WDO prior to development to discuss the issue and obtain detailed requirements. The WDO will review all non-standard templates.

A. Brand

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

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

The branding and consistent appearance of the University web site will be accomplished through the management of these elements. Style guides and standards will be developed based on materials provided by the Director of Enrollment Management. These guidelines and standards must be used unless an exemption has been granted through the procedures enumerated in this policy. The degree of application of the SFA corporate identity or branding will depend on which of the following categories a particular web site or web page fits. Different guidelines, standards and templates will be specified for each category.

5. Core Web Site: The Core Web Site category is maintained by the WDO (i.e. university homepage and index pages) and includes the top level web pages that consolidate information from several different departments.
6. Recruitment Site: The recruitment site includes all pages associated with the goSFA.com site. It is developed and maintained by the WDO and the Director of Enrollment Management.
7. Primary Unit Sites: These sites include all web sites representing university offices and departments of interest to prospective students and other non-SFA related users. Examples of these sites would include Admission, Registrar, Financial Aid and all academic departments and programs. Templates created by the WDO can be used for these sites or WDO can assist site managers with the creation of specialized templates.
8. Course or Academic Project Pages: Pages made by faculty or students to support course work or research projects are the responsibility

of the individual in charge of the project or the particular individual that created the page. Minimal requirements will be made for these pages.

9. ~~mySFA: mySFA functions primarily as a campus intranet serving the SFA community. Only pages in mySFA accessible to prospective students must follow this policy. However, standards of accuracy, accessibility, currency and compliance with state and federal laws are expected.~~
10. ~~Other Web Sites: Other web sites include student web pages, personal staff pages, student organizations and external professional organizations. These sites are the responsibility of the individual or organization creating the site and not the university. If any of these sites violates state or federal law, or if the individual or organization is no longer associated with SFA the site will be removed. Minimum content and style requirements will need to be met.~~

B. Technical Requirements

1. ~~Load Time. Load time goals and requirements should conform to any standards enumerated in 1. T.A.C. Sec. 206.1-6 State Web Sites Rules and Regulations.~~
2. ~~Duplication. To facilitate revisions and prevent contradictory information from appearing on the University web site, unit Webmasters should not duplicate information already on the university web site but should instead link to information on the site of the office primarily responsible for the function or activity. Information should be entered into the university's content management system and used from the system when available.~~
3. ~~Identification. Each web site associated with Stephen F. Austin State University must be clearly identified. The name of the organizational unit should be on every page it creates. The unit Webmasters or Pagemasters e-mail address must be displayed on the unit's main page. To preserve anonymity, generic e-mail addresses may be used.~~
4. ~~Required page links. Documents should be designed to minimize users' reliance on navigational aids in browsers. Links must be provided on each page back to the homepage for that document or collection, and for the homepage, back to the sponsoring department or unit. Each department or unit homepage must include a link back to the SFASU homepage. Other links may be required for different web sites as directed by the University Web Development Office.~~
5. ~~Broken/Dead Links. Broken or dead links occur as pages are modified, moved, or deleted over time. If pages are maintained according to this policy, there should be no links on pages that consistently produce error messages or otherwise do not work. Unit Webmasters should check~~

frequently for broken or dead links on their pages. An error rate of greater than 3% is, in most cases, unacceptable. To facilitate review by unit Webmasters, the WDO provides a frequently updated link report for each unit's web site at <http://libweb.sfasu.edu/wdo/linkechecks/default.htm>.

Departments that fail to keep site links current will have links to their department removed from the university web site until the site is repaired.

6. ~~Page dates. Each page must be dated to reflect the latest update to the page.~~
7. ~~Under construction. Under construction messages or image signs may not be used.~~
8. ~~Names. Files, folders, and images should not have spaces in the name. Spaces in links are unconventional and occasionally do not work with some browsers or link checkers.~~
9. ~~Index designation. Every directory on the central server must include a file named "index.htm or "html."~~
10. ~~Mission statement. Every organizational unit must display its mission statement on its web site and must provide a prominent link from this statement to the university mission statement.~~

C. ~~Outsourcing~~

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

D. ~~Content~~

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

1. ~~Faculty web pages must be approved by the relevant dean or designee.~~
2. ~~Unit web pages must be approved by the relevant director/manager or designee.~~
3. ~~SFA home page and corporate top level pages must be approved by the Campus Web Master and the Director of Enrollment Management.~~

4. ~~Administrative material, e.g. policies, minutes of meetings, are to be approved through appropriate administrative channels prior to posting.~~
5. ~~All pages must have the following information located on the page footer.~~
 - * ~~The name or position of the person that granted approval.~~
 - * ~~The date the approval was granted.~~
 - * ~~Last modified date.~~
 - * ~~A contact or feedback link to an email address or a page listing various ways to contact SFA.~~
6. ~~Obsolete or out of date material must be removed as soon as practical~~
7. ~~The Web Development Office will remove links on the university home page and index pages to material that is considered obsolete.~~

~~VII. ADA Compliance~~

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

~~0. Text files must be available for sound files containing substantive spoken content. All sound files must have appropriate alt tags.~~

- ~~1. Images and other visual files must include an ALT tag and appropriate text.~~

~~VIII. Policy Violations~~

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

~~0. Contact the Pagemaster of the page to discuss the problem and, when possible, offer assistance to achieve an acceptable solution.~~

- ~~1. If the problem is not adequately addressed within five business days the WDO will then contact the unit head to plan an acceptable solution.~~
- ~~2. If the problem is still not adequately addressed within another five business days the WDO will notify the vice president of the appropriate division and remove all links to the offending web site from the university home page, index pages and other web pages.~~
- ~~3. The appeals process in section V can be used to resolve any conflicts arising from the decisions of the WDO.~~

~~7.1. **Exceptions:** All requests for exemptions from these standards must be submitted to the University Webmaster for approval before the site is deployed. The~~

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

The University Web site is an important communication tool for the University and the source of vital information for prospective and current students, as well as faculty and staff, among other audiences. The quality of the University is evaluated in part by its online content.

The Office of Public Affairs provides online practice guidelines, which are updated from time to time. Current guidelines may be found here on the University Web site.

I. Responsibility

- a. Management of the Web site, led by the Office of Public Affairs, strives to ensure that information is accurate and easily accessible, while recognizing the contributions of University colleges, schools, departments and programs.*
- b. The administrative head of each campus organizational unit maintaining a Web site is responsible for seeing that the site adheres to this and other University policies.*
- c. The Office of Information Technology Services manages the University Web site server(s).*
- d. Every organizational unit head shall designate an individual(s) to serve the following functions: Pagemaster, Webmaster, and if applicable, Server Administrator. (The same person may serve in one or more of these capacities.) To ensure continuity of service, these individuals must be regular (non-student) University employees. However, the organizational unit head is responsible for the unit's Web site and its adherence to University Web policy and practices provided by the Office of Public Affairs. Careful thought must be given to the collection of site content and the ongoing responsibility of site maintenance.*
- e. Each organizational unit head will keep the Office of Public Affairs apprised of the current designees and will assist the Office of Public Affairs in ensuring that all of the designees' responsibilities have been fulfilled.*

II. Technical Requirements

- a. Duplication. To facilitate revisions and prevent contradictory information from appearing on the University Web site, unit Webmasters should not duplicate information already on the University Web site, but rather should link to information on the site of the office primarily responsible for the function or activity. Information should be entered into the University's content management system and used from the system when available.*
- b. Identification. Each Web site associated with Stephen F. Austin State University must be clearly identified. The name of the organizational unit should be on every page it creates. The unit Webmasters or Pagemasters*

e-mail address must be displayed on the unit's main page. To preserve anonymity, generic e-mail addresses may be used.

- c. Required page links. Documents should be designed to minimize users' reliance on navigational aids in browsers. Links must be provided on each page back to the homepage for that document or collection, and for the homepage, back to the sponsoring department or unit. Each department or unit homepage must include a link back to the University homepage. Other links may be required for different Web sites as directed by the Office of Public Affairs.*
- d. Broken/Dead Links. Broken or dead links occur as pages are modified, moved, or deleted over time. If pages are maintained according to this policy, there should be no links on pages that consistently produce error messages or otherwise do not work. Unit Webmasters should check frequently for broken or dead links on their pages. An error rate of greater than 3% is, in most cases, unacceptable.*
- e. Under construction. Under construction messages or image signs may not be used.*
- f. Names. Files, folders, and images should not have spaces in the name. Spaces in links are unconventional and occasionally do not work with some browsers or link checkers.*
- g. Index designation. Every directory on the central server must include a file named "index.htm, html, asp, php, etc.."*
- h. Mission statement. Every organizational unit must display its mission statement on its Web site and must provide a prominent link from this statement to the University mission statement.*

III. Outsourcing

An organizational unit that is considering contracting outside the University for Web development, paid or volunteer, should contact the Office of Public Affairs first. The Office of Public Affairs will work with units and their Web consultants to help ensure that the final product of outsourcing efforts complies with University policy and that the final site supports the mission and goals of the unit and the University effectively.

IV. Content

Responsibility for accuracy of Web content is the responsibility of everyone in the University, especially the deans, directors, managers and their designees:

- a. Faculty Web pages must be approved by the relevant dean or designee.*
- b. Unit Web pages must be approved by the relevant director/manager or designee.*
- c. The University home page and top-level pages must be approved by the Office of Public Affairs.*
- d. Administrative material, e.g. policies, minutes of meetings, are to be approved through appropriate administrative channels prior to posting.*
- e. Obsolete or out-of-date material must be removed as soon as practical.*
- f. The Office of Public Affairs will remove links on the University home page and index pages to material that is considered obsolete.*

V. E-commerce Activity

The University offers a secure method to support e-commerce activities, such as online payments for University courses and auxiliary programs like informal courses and summer camps. Contact marketplace@sfasu.edu for more information about establishing e-commerce service on a University Web site.

VI. Copyright and Privacy

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

VII. Commercial Activity

Commercial activity for personal gain is not permitted on any site operated with University resources, nor may readers be automatically re-directed from a University Web site to an external Web site that may result in personal financial income any University employee.

VIII. ADA Compliance

Pages must be accessible to persons with disabilities. Text files must be available for sound files containing substantive spoken content. Images and other visual files must include an ALT attribute and appropriate text. See the State of Texas Web Sites Rules and Regulations for additional information on meeting requirements of the Americans With Disabilities Act (ADA).

IX. Exceptions

All requests for exemptions from these standards must be submitted in writing to the Office of Public Affairs prior to a Web site launch.

Source of Authority: President

Cross Reference: None

Responsible for Implementation: President

Contact for Revision: President Executive Director of Marketing

Forms: None

Vendor Protests (F-35)

Original Implementation: July 14, 1998

Last Revision: ~~July 8, 2004~~ July 10, 2007

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

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

A formal protest must be sworn and contain:

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

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

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

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

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

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

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

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

4. The President's determination of the appeal shall be final.

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

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

Source of Authority: ~~President; Vice President for Business Affairs~~

Cross Reference: None

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

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

Forms: None

~~Vendor Warrant Hold~~ Restrictions on Purchasing and Contracting with Certain Vendors (C-48)

Original Implementation: January 25, 2000

Last Revision: ~~October 14, 2004~~ July 10, 2007

DEFINITIONS

Warrant Hold – status identifying vendors who are delinquent in payments to the state of Texas and prohibiting the State Comptroller from issuing payment to the vendor.

Determination of this status is required up to 7 days before “contracting” with any vendor and may prevent the University from being able to “contract” with the vendor. ~~Stephen F. Austin State University will not “contract” with a vendor or issue payment to any vendor who is on warrant hold in the State of Texas Comptroller’s Taxpayer and Vendor Account Information.~~

EPLS – Federal government’s Excluded Parties List System identifying Specially Designated Nationals (SDN) with whom the United State President’s Executive Order 13224 prohibits any government entity from doing business.

Contract - As defined by the State Comptroller in Notice to State Agencies #FM00-35, dated 12/2/99, a “contract” is a commitment of agency funds for the purchase of goods or services. *This definition includes P-Cards, Vouchers, Purchase Orders and Contracts.* ~~The vendor’s warrant hold status must be verified for each individual purchase or contract BEFORE committing funds on behalf of the University. Any vendor who is found to be “on hold” is not eligible to receive the proposed “contract”.~~

RESPONSIBILITY FOR DETERMINATION

It will be the responsibility of the department placing the order to insure that *the selected vendor is NOT on warrant hold or the EPLS up to 7 days before the “contract” date, but no later than the “contract” start date for the following types of transaction.* ~~status is verified BEFORE COMMITTING FUNDS ON BEHALF OF THE UNIVERSITY. The following Departments are responsible to check vendor hold status BEFORE placing orders for the types of transactions listed below.~~

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

PURCHASING Purchasing places the order:

- standing orders
- purchase orders *or contracts* completed from a requisition *submitted* for order placement by Purchasing

~~LIBRARY BOOK PURCHASES~~ Library Book Purchases made by the Library:

- library delegated purchases

~~STONE FORT MUSEUM PURCHASES FOR RESALE~~ Stone Fort Museum Purchases for Resale made by Stone Fort Museum Staff:

- stone fort delegated purchases

~~END USER~~ Department End Users place the order:

- ~~payment vouchers~~ payments
- ☐ ~~local purchase authorization (LPA)~~ purchases
- ~~credit card~~ p-card purchases exceeding \$150 (*EPLS check is not required for p-card purchases*)
- purchases made by an employee for which reimbursement will be sought (tax status of the vendor from whom the purchase is made must be checked)
- requisitions for which a telephone PO is issued

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

DETERMINATION INSTRUCTIONS

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

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

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

- ~~1. Credit card purchases less than \$150~~
- ~~2. Emergency 'in the field' purchases less than \$150~~
- ~~3. Other situations to be approved by the Director of Purchasing, wherein the failure to complete a purchase would involve public safety, or severely hinder the educational purpose or operation of the University or a University operated facility.~~

~~VERIFICATION INSTRUCTIONS~~

State Comptroller Warrant Hold Status Determination

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

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

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

~~A. "Vendor Not On Hold _____ (date)."~~

~~3.B. If the vendor number or vendor name search indicates that the vendor is "on warrant hold", the department making the determination has the following options: purchase CAN NOT BE MADE. The department should search for another vendor from whom to make the purchase.~~

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

- ~~1. Locate another vendor with whom to "contract" and who is not on warrant hold.~~

1. ~~Contact The vendor should be contacted and informed him/her to contact the State Comptroller's office at 1-800-531-5441 to resolve the "on warrant hold" warrant status. The corrected status must be viewable on-line or a written notice received from the State Comptroller's Office and maintained with the "contract" file.~~
2. The vendor may be given an adequate period of time to rectify his/her warrant hold status from "on warrant hold" to "not on vendor hold".
3. ~~If the situation is corrected, the updated tax status must be viewed at the State Comptroller's web site or confirmed in writing from the State Comptroller. A vendor may not self-certify a corrected warrant hold status. When an acceptable warrant hold status is received, refer to A. above~~The vendor may choose to allow their payment to be forwarded to the State Comptroller to off-set the debt. Contact Accounts Payable for further instructions.
4. ~~If the situation is not corrected, contact the Director of Purchasing to determine if the failure to complete the purchase would involve public safety, or severely hinder the educational purpose or operation of the University or a University operated facility.~~

Federal Government Excluded Parties List System (EPLS) Determination

The verification process involves searching for the vendor by vendor name at the Federal Government's EPLS web-site created specifically for this determination. The internet address is <http://www.epls.gov/eplsearch.do>.

Type the last name of the individual or the first word (except 'the') of a company name; scroll to the bottom of the screen and click 'search'. Any names found will be returned in alphabetical order.

If the search finds a match, more research is required to rule out the possibility of a "false hit."

1. Is the name an exact match?
2. Is the name very close?
3. Is the vendor you are searching for located in the same general area as the name returned in the search?

If the match appear to be valid, contact the Director of Purchasing.

DOCUMENTATION OF DETERMINATION

The document created by the department placing the order (requisition for telephone PO, p-card transaction, payment voucher, purchase order, etc.) must include a warrant hold and EPLS status determination statement as follows:

"Vendor not on hold/EPLS (date) (your initials)"

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

Cross Reference: ~~None~~ *Texas Government Code, Title 10, Chapter 2252.903; U. S. President Executive Order 13224 issued September 23, 2001*

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

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

Forms: None