

Stephen F. Austin State University

MINUTES OF THE BOARD OF REGENTS



Nacogdoches, Texas

July 14 and 15, 2008 (Volume 245)

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MEETING 245

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**Stephen F. Austin State University
Minutes of the Meeting of the
Board of Regents
Nacogdoches, Texas
July 14 and 15, 2008
Austin Building 307
Meeting 245**

Monday, July 14, 2008

The regular meeting of the Board of Regents was called to order in open session at 8:00 a.m., Monday, July 14, 2008, by Chair Joe Max Green.

PRESENT:

Board Members: Mr. Joe Max Green, Chair
 Mr. Carlos Amaral
 Mr. Richard Boyer
 Ms. Lacey Claver
 Mr. James Dickerson
 Ms. Valerie Ertz
 Mr. Bob Garrett
 Mr. Paul Pond
 Mr. James Thompson
 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 Academic and Student Affairs Committee convened at 8:00 a.m. and adjourned at 9:21 a.m. The Building and Grounds Committee convened at 9:36 a.m. and adjourned at 12:00 noon. Following a board recess for lunch, the Finance/Audit Committee convened at 1:20 p.m. and adjourned at 2:10 p.m.

The chair called for an executive session at 2:20 p.m. to consider the following items:

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

- Mineral Lease
- Property Lease
- Possible Property Purchase

Deliberations Regarding the Deployment, or Special Occasions for Implementation, of Security Personnel or Devices (Texas Government Code, Section 551.076)

- Department Information Technology Review

Personnel Matters Regarding Specific University Employees (Texas Government Code, Section 551.074)

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: Executive Director of Development, Executive Director of Marketing, Athletic Director, Baseball Coach, Basketball Coaches, Vice Presidents, President, General Counsel, Director of Audit Services, and Assistant to the Board of Regents.

The executive session ended at 4:50 p.m. and the board recessed for the evening, with no action taken.

Tuesday, July 15, 2008

The chair reconvened the board meeting in open session at 9:00 a.m. on Tuesday, July 15, 2008.

PRESENT:

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

SPECIAL RECOGNITIONS

Dr. Tony Duben, dean of the College of Sciences and Mathematics, introduced Dr. Kevin Langford, who spoke about the success of the pre-professional programs in that college. Dr. Adam Peck, dean of Student Affairs, introduced the officers and members of Driving Jacks. Ms. Shirley Luna, interim executive director of marketing, congratulated Hardy Meredith and Amy Rocquemoire from the Department of Public Affairs on recent awards at their national professional organization.

BOARD ORDER 08-35

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

APPROVAL OF MINUTES

The minutes of the April 21 and 22, 2008, regular meeting of the Board of Regents and the May 9, 2008, special meeting of the Board of Regents were approved as presented.

ADMINISTRATION

ELECTION OF PRESIDENT

Baker Pattillo was reappointed as president of the university with an annual salary of \$275,000, effective September 1, 2008.

ELECTION OF GENERAL COUNSEL

Yvette Clark was reappointed as general counsel with an annual salary of \$125,000, effective September 1, 2008.

ELECTION OF DIRECTOR OF AUDIT SERVICES

Gina Oglesbee was reappointed as director of audit services with an annual salary of \$100,000 effective September 1, 2008.

ELECTION OF ASSISTANT TO THE BOARD OF REGENTS

Judy Buckingham was reappointed as assistant to the board with an annual salary of \$41,535, effective September 1, 2008.

PERSONNEL

BOARD ORDER 08-36

Upon motion by Regent Ertz, seconded by Regent Amaral, with all members voting aye, it was ordered that the following personnel items be approved:

FACULTY APPOINTMENTS FOR 2008 – 2009

EDUCATION

Tara Newman, Assistant Professor of Human Sciences, Ed.D. (Stephen F. Austin State University), at a salary of \$46,500 for 100 percent time for nine months, effective September 1, 2008.

Elizabeth Vaughan, Professor and Assistant Chair of Elementary Education, Ph.D. (University of South Florida), at a salary of \$100,000 for 100 percent time for 12 months, effective September 1, 2008.

FINE ARTS

Lauren Blaine McAdams, Assistant Professor of Metal/Jewelry, M.F.A. (Arizona State University), at a salary of \$41,000 for 100 percent time for nine months, effective September 1, 2008.

Scott Elmon Robinson, Director of the School of Art and Associate Professor of Art, Ph.D. (University of Texas), at a salary of \$85,000 for 100 percent time for 12 months, effective August 1, 2008.

Matthew Evans Sutherlin, Instructor of Art Education, M.F.A. (University of Massachusetts), at a salary of \$42,438 for 100 percent time for nine months, effective September 1, 2008.

Jamie Gay Weaver, Assistant Professor of Musicology, Ph.D. (University of Oregon), at a salary of \$44,000 for 100 percent time for nine months, effective September 1, 2008.

LIBERAL AND APPLIED ARTS

Roderick Hanks, Assistant Professor of Social Work, M.S.W. (University of Texas), at a salary of \$45,000 for 100 percent time for nine months, effective September 1, 2008.

Kristina Mao, Assistant Professor of Government, Ph.D. (University of Arizona), at a salary of \$45,000 for 100 percent time for nine months, effective September 1, 2008.

Gabriela Miranda-Recinos, Assistant Professor of Spanish, M.A. (California State University), at a salary of \$45,000 for 100 percent time for nine months, effective September 1, 2008.

Jose Neftali Recinos, Assistant Professor of Spanish, B.A. (University of California), at a salary of \$45,000 for 100 percent time for nine months, effective September 1, 2008.

Cecilia S. Tyler, Visiting Lecturer of Sociology, M.A. (Louisiana State University and National University of Mexico), at a salary of \$30,000 for 100 percent time for nine months, effective September 1, 2008.

SCIENCES AND MATHEMATICS

Amy McBeth Owen, Clinical Instructor of Nursing, B.S.N. (Texas Tech University), at a salary of \$54,000 for 100 percent time for nine months, effective September 1, 2008.

STAFF APPOINTMENTS FOR 2008 – 2009

ATHLETICS

Kendall Blair Hewett, Assistant Softball Coach, at a salary of \$24,000 for 100 percent time for 10.5 months, effective June 30, 2008.

Danny Kaspar, Head Men's Basketball Coach, with a rolling two year contract renewal, at a salary of \$123,000 for 100% time for 12 months, effective September 1, 2008.

CHARTER SCHOOL

Angelique Beckwith, Teacher, at a salary of \$43,200 for 100 percent time for 9.5 months, effective August 18, 2008.

Kathryn R. Chapman, Teacher, at a salary of \$36,200 for 100 percent time for 9.5 months, effective August 18, 2008.

Becky S. Griffith, Teacher, at a salary of \$49,400 for 100 percent time for 9.5 months, effective August 18, 2008.

Lauree S. Hayes, Teacher, at a salary of \$49,700 for 100 percent time for 9.5 months, effective August 18, 2008.

Jeri D. Meredith, Teacher, at a salary of \$42,600 for 100 percent time for 9.5 months, effective August 18, 2008.

Stephanie D. Murray, Teacher, at a salary of \$38,600 for 100 percent time for 9.5 months, effective August 18, 2008.

Jan K. Wisener, Teacher, at a salary of \$49,400 for 100 percent time for 9.5 months, effective August 18, 2008.

Holli L. Zawlocki, Teacher, at a salary of \$39,700 for 100 percent time for 9.5 months, effective August 18, 2008.

FINANCIAL AID

Tammy Marie Mitchum, Financial Aid Officer, at a salary of \$30,000 for 100 percent time for twelve months, effective April 14, 2008.

PHYSICAL PLANT

Jeffery W. Ghiringhelli, Plant Operation Analyst, at a salary of \$50,000 for 100 percent time for 12 months, effective April 28, 2008.

SCIENCES AND MATHEMATICS

Debra G. Glymph, Remediation Specialist, at a salary of \$35,000 for 100 percent time for nine months, effective June 2, 2008.

UNIVERSITY AFFAIRS

Justin Lee Anderson, Coordinator-Aquatics, at a salary of \$33,000 for 100 percent time for 12 months, effective June 2, 2008.

CHANGES OF STATUS FOR 2008 – 2009

ALUMNI

Rhonda L. Minton, from Associate Director for Communications and Public Relations at a salary of \$46,064 for 100 percent time for 12 months, to Director of Alumni Affairs Marketing and Membership at a salary of \$50,393 for 100 percent time for 12 months, effective June 3, 2008.

BUSINESS

Dale Spradling, from Visiting Assistant Professor of Accounting at a salary of \$85,204 for 100 percent time for nine months, to Assistant Professor of Accounting at a salary of \$95,000 for 100 percent time for nine months, effective September 1, 2008.

EDUCATION

Carrie A. Baker, from Administrative Assistant at a salary of \$27,641 for 100 percent time for 12 months, to Certification Specialist Advisor at a salary of \$35,000 for 100 percent time for 12 months, effective May 20, 2008.

Sandra Stewart, from Assistant Professor of Elementary Education at a salary of \$48,410 for 100 percent time for nine months, to Assistant Professor of Secondary Education and Educational Leadership at a salary of \$50,000 for 100 percent time for nine months, effective September 1, 2008.

Dawn Michelle Williams, from Adjunct Faculty in Elementary Education at a salary of \$2,500 per semester for 25 percent time for four months, to Instructor of Elementary Education, at a salary of \$46,000 for 100 percent time for nine months, effective September 1, 2008.

Emily E. Wilson, from Substitute Teacher at a salary of \$20.00 per hour for 100 percent time for three months to Teacher-Toddler II at a salary of \$30,250 for 100 percent time for 12 months, effective June 1, 2008.

FINANCE AND ADMINISTRATION

Danny R. Gallant, from Interim Vice President for Finance and Administration at a salary of \$125,000 for 100 percent time for twelve months, to Vice President for Finance and Administration at a salary of \$141,099 for 100 percent time for twelve months, effective July 15, 2008.

FINE ARTS

Marsha S. Blount, from Lecturer of Art at a salary of \$42,438 for 100 percent time for nine months, to Assistant Professor of Art at a salary of \$44,438 for 100 percent time for nine months, effective September 1, 2008.

Neal W. Cox, from Visiting Assistant Professor of Art at a salary of \$42,000 for 100 percent time for nine months, to Assistant Professor of Art at a salary of \$44,000 for 100 percent time for nine months, effective September 1, 2008.

GRADUATE STUDIES

Thomas Wheeler, from Dean and Associate Vice President of Graduate Studies and Research at a salary of \$108,727 for 100 percent time for 12 months, to Dean of Graduate Studies at a salary of \$108,727 for 100 percent time for 12 months, effective September 1, 2008.

HUMAN RESOURCES

Aleta M. Spivey, from Senior Benefits Assistant at a salary of \$27,513 for 100 percent time for 12 months, to Benefits Coordinator at a salary of \$39,000 for 100 percent time for 12 months, effective April 21, 2008.

INFORMATION TECHNOLOGY SERVICES

Sandra J. Turner, from Associate Director of Institutional Research at a salary of \$62,063 for 100 percent time for 12 months, to Project Director-Banner at a salary of \$82,000 for 100 percent time for 12 months, effective June 1, 2008.

LIBERAL AND APPLIED ARTS

Alan Baily, from Visiting Assistant Professor of Government at a salary of \$40,000 for 100 percent time for nine months, to Assistant Professor of Government at a salary of \$45,000 for 100 percent time for nine months, effective September 1, 2008.

Frances Beth Bontempo, from Visiting Assistant Professor of Psychology at a salary of \$40,000 for 100 percent time for nine months, to reappointment as Visiting Assistant Professor of Psychology at a salary of \$43,000 for 100 percent time for nine months, effective September 1, 2008.

Sam Copeland, from Associate Professor of Social Work at a salary of \$52,397 for 100 percent time for nine months, to BSW Director of the School of Social Work and Associate Professor of Social Work at a salary of \$72,000 for 100 percent time for 11 months, effective September 1, 2008.

Ryan Rhodes, from Lecturer of English and Philosophy at a salary of \$36,000 for 100 percent time for nine months, to Visiting Lecturer of English and Philosophy at a salary of \$32,000 for 100 percent time for nine months, effective September 1, 2008.

Louise E. Stoehr, from Instructional Technology Specialist in Modern Languages at a salary of \$52,596 for 100 percent time for 12 months, to Assistant Professor of German at a salary of \$45,000 for 100 percent time for nine months, effective September 1, 2008.

LIBRARY

Jennifer M. Brancato, from Library Associate I at a salary of \$21,787 for 100 percent time for 12 months, to Archivist at a salary of \$35,000 for 100 percent time for 12 months, effective May 1, 2008.

Mary E. McWilliams, from Program Director-AARC at a salary of \$47,106 for 100 percent time for 12 months, to Director AARC at a salary of \$60,000 for 100 percent time for 12 months, effective April 1, 2008.

PUBLIC AFFAIRS

Lani H. Draper, from Librarian II at a salary of \$39,112 for 100 percent time for 12 months, to Online Communication Specialist at a salary of \$40,000 for 100 percent time for 12 months, effective April 22, 2008.

RETIREMENTS

Cheryl R. Athey, Teacher, Early Childhood Lab-Charter School, effective May 30, 2008.

Verna Barron, Associate Professor of Psychology, effective July 31, 2008.

Barbara C. Carr, Professor of English and Philosophy, effective May 31, 2008.

Ernest B. Ledger, Professor of Geology, effective May 31, 2008.

TENURE

Academic tenure was awarded to the following individuals, effective fall semester, 2008.

Dr. Mark Sanders

English and Philosophy

Dr. Elizabeth Vaughan

Elementary Education

LEAVE OF ABSENCE WITH PAY

Faculty leave of absence with pay for Dr. Mark Ludorf was approved, effective September 1, 2008 through December 31, 2008.

HOLIDAY SCHEDULE FOR 2008-2009

The following holiday schedule for 2008-2009 was approved:

Fifteen holidays are allowed by the state for 2008-2009. The following schedule will allow SFA to be closed for Labor Day, 2 days at Thanksgiving, 8 working days during Christmas and New Year's Day, 5 working days at Spring Break, and Memorial Day, which totals **seventeen** days. Employees will be required to take one day of vacation or compensatory time on January 2, and one day of vacation or compensatory time on March 20. Holidays will be September 1, November 27, November 28, December 24, December 25, December 26, December 29, December 30, December 31, January 1, January 2 (employees take vacation or comp time), March 16, March 17, March 18, March 19, March 20 (employees take vacation or comp time), and May 25.

ACADEMIC AND STUDENT AFFAIRS

BOARD ORDER 08-37

Upon motion by Regent Boyer, seconded by Regent Dickerson, with all members voting aye, the following academic and student affairs items were approved:

SMALL-SIZE CLASS LIST SUMMER I, 2008

The Summer I, 2008 small-size class list was approved, as presented in Appendix 1.

APPROVAL OF INTERCOLLEGIATE ATHLETIC POLICY AND PROCEDURE MANUAL

Revisions to the Intercollegiate Athletic Policy and Procedure Manual were approved as presented.

APPROVAL OF NON-TRADITIONAL DELIVERY OF PROGRAMS

Approval was given for these programs to be delivered with non-traditional methods, including off-campus and distance education.

Bachelor of Science in Interdisciplinary Studies (BSIS) degree Completion
Program in Elementary Education with 4-8 Middle Level Grade Certification
Internet (100%)
Proposed Implementation Date: *August, 2008*

Master of Arts in School Counseling with Professional Counseling Licensure
Palestine ISD Off-Campus (56%) Internet (44%)
Proposed Implementation Date: *January 2009*

Master of Education in Special Education with Certification as an Educational
Diagnostician
Splendora ISD Interactive Video (58%) Internet (42%)
Proposed Implementation Date: *January 2009*

Master of Education in Educational Leadership
Tenaha ISD 100% Off-campus face-to-face delivery
Proposed Implementation Date: *January 2009*

APPROVAL OF PH.D. IN SCHOOL PSYCHOLOGY

WHEREAS, the board considered the following: The Department of Human Services in the James I. Perkins College of Education is proposing to offer a Ph.D. in School Psychology that would begin fall 2009. The Texas Higher Education Coordinating Board (THECB) has given SFASU preliminary planning authority to pursue this new doctoral degree. THECB requires SFA Board of Regents approval of this program before an out-of-state

team composed of faculty and administrators of school psychology Ph.D. programs from top universities visit the campus this fall.

THEREFORE, the Board of Regents approved the Ph.D. in School Psychology program.

APPROVAL OF AGREEMENT BETWEEN STEPHEN F. AUSTIN STATE UNIVERSITY, THE COLLEGE OF FINE ARTS, AND THE DEAN'S CIRCLE

WHEREAS, the Board of Regents considered the following: The dean of the College of Fine Arts requests approval to finalize the Agreement between Stephen F. Austin State University, the College of Fine Arts and the Dean's Circle that would establish the Dean's Circle as a support group of the university. The agreement is included as Appendix 2.

The purpose of this group is to support the programs and activities of the College of Fine Arts, Stephen F. Austin State University, including the following activities:

- a.) to provide guidance, support, and raise funds in furtherance of the college dean's excellence goals,
- b.) to promote the activities and opportunities for the college, university and East Texas,
- c.) to serve as a conduit between the college and the community; offer advice and support for the excellence initiatives of the college;
- d.) to support and execute fund-raising activities of the benefit of the college, within any guidelines or limitations imposed by the university, if any; and
- e.) to perform those functions that the college cannot provide itself.

THEREFORE, approval was given to the agreement (included in Appendix 2) between Stephen F. Austin State University, the College of Fine Arts, and the Dean's Council and the president was authorized to sign the agreement.

APPROVAL OF STRATEGIC PLAN 2013

Approval was given to *Strategic Plan 2013: Preparing for the Future*, as presented in Appendix 3.

BUILDING AND GROUNDS

BOARD ORDER 08-38

Upon motion by Regent Thompson, seconded by Regent Dickerson, with all members voting aye, it was ordered that the following item be approved:

SELECTION OF AN ARCHITECTURAL/ENGINEERING FIRM TO ASSESS THE SPACE AND PROGRAM NEEDS OF THE CHEMISTRY DEPARTMENT

WHEREAS, the Board of Regents considered the following: The university issued a request for qualifications (RFQ) for architectural/engineering services for the Chemistry Department space needs. A group of finalists was selected to be considered for the

project. The Building and Grounds Committee interviewed three finalists for the selection of an architect to provide architectural programming services for the Chemistry Department. The interviewed firms were: Jennings Hackler & Partners, Perkins + Will, and WHR Architects.

Major discussion issues in the selection included:

- the firm's ability to meet our time-frame for an October report,
- the firm's ability to successfully program SFA's project based on past experience, and
- the rankings from the evaluation committee.

The Building and Grounds Committee voted unanimously to recommend Perkins + Will as the most qualified architect for architectural programming for the Chemistry Department.

THEREFORE, the university was authorized to begin negotiations with Perkins + Will as the firm for architectural programming for the Chemistry Department. The president was authorized to sign the contract.

BOARD ORDER 08-39

Upon motion by Regent Garrett, seconded by Regent Pond, with all members voting aye, it was ordered that the following item be approved:

APPROVAL OF THE FISCAL YEAR 2008-09 CAPITAL PLAN

WHEREAS, the board considered the following: The university has developed an education and general infrastructure assessment and is in the process of developing a comprehensive institutional infrastructure capital renewal and replacement plan. The plan will contain various categories including infrastructure and other capital assets. For fiscal year 2008-09 the university has developed a capital plan.

THEREFORE, the fiscal year 2008-09 capital plan was adopted, as delineated in Appendix 4, with the project costs not to exceed the stated estimated costs for each project.

BOARD ORDER 08-40

Upon motion by Regent Thompson, seconded by Regent Boyer, with all members voting aye, it was ordered that the following item be approved:

GARNER ELEVATOR REPAIR

Whereas, the board considered the following: Garner Hall was constructed in 1969 as a single tower hall for women. In 1978 Garner Hall was converted to apartments. Many of the mechanical systems in Garner Apartments are original to its 1969 construction, including the elevator systems. There are three elevators in the building and over the past year they have become increasingly unreliable, resulting in repeated outages and

numerous service calls. The current 39-year old controls are too old to be effectively repaired and reliable elevator service in a 14-story facility is essential.

The cost estimate to replace the control systems, lift motors and pulleys and install a cooling unit to keep the systems at the correct operating temperature for two of the three elevators is approximately \$335,000. The administration wishes to repair and upgrade two of the three elevators for daily passenger use and use the third only for maintenance.

THEREFORE, it was approved that two of the three elevators in Garner Apartments be repaired at a cost not to exceed \$335,000. The president was authorized to sign associated purchase orders and contracts. The fund source is auxiliary fund balance.

Board Order 08-41

Upon motion by Regent Thompson, seconded by Regent Garrett, with all members voting aye, it was ordered that the following item be approved:

SELECTION OF A CONSTRUCTION MANAGER AT RISK FOR THE NURSING FACILITY

WHEREAS, the board considered the following: At the May 9, 2008 meeting, the Board of Regents approved a motion to "verify the total proposed fees and general condition costs estimated by the two top firms, J.E. Dunn and J.E. Kingham Construction Company, and that the administration be authorized to negotiate a contract with J.E. Dunn as the most qualified firm to serve as construction manager at risk for the DeWitt Nursing School Facility, based on a total cost comparable to the total fees proposed by J.E. Kingham, the second choice firm, and considering a review of their construction services package by the Turner consultant. If negotiations with J.E. Dunn are not successful within two weeks, the administration was authorized to negotiate a contract with the second choice firm, J. E. Kingham Construction."

Turner Construction conducted negotiations with J.E. Dunn Construction, and a comparison of the fee and general conditions leaves a price difference of \$51,736 over Kingham Construction. The Building and Grounds Committee reviewed the results of the negotiations at its June 30, 2008 meeting.

THEREFORE, it was approved that the president be authorized to sign a contract with J.E. Dunn Construction Company, based on the withdrawal by J. E. Kingham of their proposed bid.

BOARD ORDER 08-42

Upon motion by Regent Thompson, seconded by Regent Pond, with all members voting aye, it was ordered that the following item be approved:

STUDENT CENTER HVAC REPLACEMENT

WHEREAS, the following was considered by the Board of Regents: At the May 9, 2008 meeting the Board of Regents discussed the bid from J.E. Kingham Construction Company to repair the HVAC equipment in the old section of the Baker Pattillo Student Center. A motion was approved to conduct a review of the HVAC replacement and discuss the findings at a subsequent Building and Grounds Committee meeting. At the June 30, 2008 meeting, Turner Construction presented the findings from the review to the Building and Grounds Committee.

THEREFORE, the Board of Regents accepted the bid as submitted by J.E. Kingham Construction Company to replace the air handling equipment in the old section of the Baker Pattillo Student Center at a cost of \$2,989,915. Associated consulting, engineering, and process review costs will be included in the project. The president was authorized to sign necessary contracts or purchase orders associated with the project at a total project cost not to exceed \$3,600,000. The sources of funds are savings from the student center expansion and renovation project and designated fund balance.

BOARD ORDER 08-43

Upon motion by Regent Thompson, seconded by Regent Garrett, with all members voting aye, it was ordered that the following two items concerning baseball/softball be approved:

APPROVAL OF CONTRACT FOR LEASE OF BASEBALL/SOFTBALL FACILITIES

WHEREAS, the following was considered: A lease agreement has been drawn between the university and the city of Nacogdoches for primary use of specific baseball and softball facilities located within the city complex on the west loop. This lease is for a period of 20 years with an option to renew and includes "naming rights" which will aid in raising outside funds for improvements to the facilities. The city has also agreed to allow SFA to have primary use of a recreational field for softball. This will allow the softball team to better develop a facility for their use and needs. The City of Nacogdoches approved the lease at their meeting on July 1, 2008.

THEREFORE, approval was given to the lease contract and authorization was provided for the president to sign the contract.

APPROVAL OF CONSTRUCTION AT THE CITY BASEBALL FACILITY

WHEREAS, the following was considered: Sturdisteel of Waco, Texas, has submitted the low bid to construct a 740 seat bleacher system at the city complex where the SFA baseball team plays. The new bleachers will wrap around the backstop and will include 150 chairback seats located in the center section that will be covered with a non-cantilevered roof. The new system will allow for season tickets to be sold, as well as reserve and general admission sales on a per game basis. The current pressbox will be elevated to the top center row. The bleacher bid is \$192,185 and does not include demo of existing bleachers, relocation and elevation of the existing pressbox, or modifications to the backstop netting. Estimates for this work are less than \$20,000 and would be done

by other contracted vendors. Completion is scheduled prior to January 1, 2009. Funds originally collected to support a new baseball/softball complex will be used for this project. Donors have given their approval to use these moneys for this purpose. Total gift funds available for this project are \$253,550.

THEREFORE, this project was approved and the president was authorized to sign contracts for a project sum not to exceed \$253,550, with the source of funds coming totally from gift money donated for this purpose.

FINANCIAL AFFAIRS

BOARD ORDER 08-44

Upon motion by Regent White, seconded by Regent Ertz, with all members voting aye, the following financial items were approved:

ADOPTION OF THE FISCAL YEAR 2008-09 OPERATING BUDGET

WHEREAS, the following was considered: In accordance with Article III of the Appropriation Bill for the 2008-09 biennium, the recommended operating budget totaling \$186,465,455 for the 2008-09 fiscal year is submitted for approval. The 2008-09 proposed budget includes a \$9 per semester credit hour increase in designated tuition and an 2.7% increase in room and board. The proposed 2008-09 budget includes a 3% salary increase merit pool for faculty and staff, an increase for faculty promotions, salary equity adjustments and staff reclassifications. A detailed Higher Education Fund allocation is included in Appendix 5.

THEREFORE, the 2008-09 proposed budget was adopted, as presented.

ADOPTION OF THE FISCAL YEAR 2008-09 CAPITAL BUDGET

WHEREAS, the following was considered: The university has developed an education and general infrastructure assessment and is in the process of developing a comprehensive institutional infrastructure capital renewal and replacement plan. The plan will contain various categories including infrastructure and other capital assets. The attached capital budget addresses new construction, campus improvement, deferred maintenance, renovation, network upgrades, enterprise resource planning (ERP) system development and major equipment replacement.

THEREFORE, the 2008-09 capital budget was adopted, as detailed in Appendix 6 at a cost of \$15,729,000.

AUTHORITY TO ISSUE HEF BONDS FOR THE EARLY CHILDHOOD RESEARCH CENTER

WHEREAS, the following was considered: The Board of Regents authorized a total project budget for the Early Childhood Research Center of \$30,800,000 on January 29, 2008. The Board of Regents subsequently approved the sale of tuition revenue bonds for the

Early Childhood Research Center on February 7, 2008 in the amount of \$20,175,000. A HEF bond issue is necessary to provide additional funds to complete the project. The university's legal authority to issue HEF bonds is derived from the Texas Constitution, Art. VII, Section 17 and Texas Education Code, Chapters 55 and 62.

THEREFORE, the university was authorized to initiate the process to issue HEF bonds not to exceed \$10,625,000 to complete the Early Childhood Research Center. Approval was given to the Resolution Declaring Expectation to Reimburse Expenditures with Proceeds of Future Debt (Appendix 7). Authorization was granted to contract with the financial advisor and bond counsel retained by the Texas Public Finance Authority for the proposed issue of additional tuition revenue bonds or to enter into an interagency contract with the Authority for such services.

RESOLUTION AUTHORIZING THE ISSUANCE OF TUITION REVENUE BONDS FOR A CAMPUS DEFERRED MAINTENANCE REDUCTION PLAN

WHEREAS, the following was considered: Texas Education Code 55.1758 authorizes Stephen F. Austin State University to issue \$10,000,000 in tuition revenue bonds for a campus deferred maintenance reduction plan. A list of deferred maintenance projects has been submitted to the Texas Higher Education Coordinating Board. The university wishes to issue \$10,000,000 of tuition revenue bonds as authorized to complete various deferred maintenance projects.

THEREFORE, the \$10,000,000 tuition revenue bond deferred maintenance budget was approved, and the university was authorized to seek Texas Higher Education Board approval for the various deferred maintenance projects. The Resolution Authorizing a Request for Financing (Appendix 8) and Resolution Declaring Expectation to Reimburse Expenditures with Proceeds of Future Debt (Appendix 9) for a campus deferred maintenance plan were approved. This approval permits the university to begin work with the Texas Public Finance Authority to issue tuition revenue bonds for the project.

BANNER AXCESS 2008-09 PROJECT BUDGET

WHEREAS, the following was considered: The Banner Axxcess implementation project is continuing and the financial component of the solution will be implemented and operational on September 1, 2009. Other functional areas will be operational as scheduled. During 2007-08, the university issued work orders for \$1,567,279 and \$932,800 to secure fixed price consulting services as part of the project implementation for a period extending through August 31, 2011.

THEREFORE, approval was given for \$1,420,000 for the fiscal year 2008-09 Banner Axxcess implementation phase, as well as approval of the fixed price work orders listed above so long as they remain within the annual budgets. The president was authorized to sign associated purchase orders and contracts. The fund source is the Higher Education Fund.

ROAD BUS PURCHASE

WHEREAS, the following was considered: The university currently has two road buses for travel. The Athletics Department uses the buses and charts others as needed. Other university departments also use the buses for travel. The Grounds and Transportation Department maintains and rents the buses out to university departments. The larger of the two buses is a 52 passenger that is five years old and has over 150,000 miles. The second is a 37 passenger bus that is ten years old and has over 180,000 miles. An additional bus will reduce the amount of necessary athletic charters and allow the reallocation of those funds to support the purchase. In addition, a second large bus will generate additional rental revenue.

THEREFORE, The university was authorized to purchase a large passenger bus for institutional travel. The president was authorized to sign the purchase order at a cost not to exceed \$500,000. The sources of funds are designated fund balance \$400,000, and the Higher Education Fund, \$100,000.

DIRECTORS AND OFFICERS, AUTOMOTIVE AND GENERAL LIABILITY INSURANCE

WHEREAS, the board considered the following: The university is working with the State Office of Risk Management (SORM) for Directors and Officers, Automotive and General Liability Insurance. SORM is currently reviewing the university's coverage requirements and will approve the appropriate level and type of coverage. Fiscal year 2007-08 coverage costs are \$232,093.

THEREFORE, the university was authorized to contract with the State Office of Risk Management for directors and officers and automotive insurance and contract for general liability as approved by SORM. The president was authorized to sign the appropriate contracts. The total cost is expected to be less than \$250,000.

RENEWAL OF THE INVESTMENT MANAGEMENT CONTRACT WITH MERRILL LYNCH

WHEREAS, the following was considered: Merrill Lynch was contracted by the Board of Regents in 2002 to be the university's external fund manager. The contract followed a competitive proposal and selection process. Pursuant to the Texas Public Funds Investment Act, a contract with an external fund manager must be renewed or extended every two years. In fiscal year 2004, the Board of Regents renewed the contract with Merrill Lynch for two years. In fiscal year 2006, the board of regents approved a new contract with Merrill Lynch following a competitive proposal and selection process. The current contract with Merrill Lynch ends August 31, 2008. To comply with the act, the current contract must be renewed.

THEREFORE, the university was authorized to renew the contract with Merrill Lynch for a period of two years, beginning September 1, 2008. The president was authorized to sign the contract.

TIME MANAGEMENT AND REPORTING SOFTWARE

WHEREAS, the following was considered: The university wishes to purchase a time management and reporting software system that will allow the physical plant and other departments to record and track employee timekeeping for job order management and payroll purposes. The system will integrate with our current payroll system and can be integrated into the new Banner Axxess Human Resources System.

THEREFORE, the purchase of a time management and reporting software system was approved at a cost not to exceed \$130,000. The president was authorized to sign associated purchase orders and contracts. The fund source is the Higher Education Fund.

PURCHASE OF ELECTRIC UTILITIES FROM DEEP EAST TEXAS ELECTRIC COOP FOR FY 09

WHEREAS, the following was considered: The university utilizes regulated electricity from the Deep East Texas Electric Coop to serve the Todd Agricultural Research Center and the Temple-Eastex Forestry Laboratory. Fiscal year 2006-07 total expenditures were \$68,662 and fiscal year 2007-08 expenditures as of June 17, 2008 were \$53,917.

THEREFORE, the university was authorized to purchase electricity from the Deep East Texas Electric Coop to serve the Todd Agricultural Research Center and the Temple-Eastex Forestry Laboratory for fiscal year 2008-09. The president was authorized to sign the purchase order.

PURCHASE OF WATER, SANITARY SEWER AND LANDFILL SERVICES FOR FY09

WHEREAS, the following was considered: The university utilizes water, sanitary sewer and landfill services provided by the city of Nacogdoches. Fiscal year 2006-07 total expenditures were \$1,048,503 and fiscal year 2007-08 expenditures as of June 17, 2008 were \$880,510.

THEREFORE, the university was authorized to purchase water, sanitary sewer and landfill services from the city of Nacogdoches fiscal year 2008-09, and the president was authorized to sign the purchase order.

PURCHASE OF NATURAL GAS FOR FY09

WHEREAS, the following was considered: The university currently 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. Fiscal year 2007-08 natural gas expenditures of \$1,429,009 reflect billings through April 2008.

The university requested proposals from Centerpoint and Luminare to supply its natural gas needs for fiscal year 2008-09. The administration has reviewed the proposals and determined that Centerpoint Energy Services offers the best value to the university.

The 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.

THEREFORE, the university was authorized to renew the contract with Centerpoint Energy Services for natural gas purchases for fiscal year 2008-09, 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 fiscal year 2008-09.

VENDING CONTRACT RENEWAL

WHEREAS, the following was considered: In May, 2003 the university entered into a five-year contract with Accent Food Services to provide vending services. In the contract Accent agreed to purchase the then university-owned vending machines for \$70,770 and to submit to the university a monthly payment equal to 15% of the preceding month's gross sales with a minimum guarantee of \$31,100 per year. This contract is scheduled to expire on August 31, 2008. The terms of the contract allow for a five-year extension upon mutual agreement between the parties.

The gross sales under this contract have been as follows:

<u>Year</u>	<u>Gross</u>	<u>15%</u>	<u>vs. Guarantee</u>
2003-04	\$186,125.69	\$27,918.93	(\$3,181.07)
2004-05	\$178,195.60	\$26,729.39	(\$4,370.61)
2005-06	\$162,471.07	\$24,370.74	(\$6,729.26)
2006-07	\$163,480.25	\$24,522.25	(\$6,577.75)
2007-08*	\$ 99,998.30	\$14,999.70	pending

* through March 2008

Vending sales have been impacted during the term of this agreement by the addition of three convenience store outlets on campus as well as the food service transformation we have undertaken over the past several years.

On May 5, 2008, Accent Food Services informed the university in writing of their desire to extend our contract until August 31, 2013 under the same terms and conditions. Our relationship with Accent has been positive. Our Student Services staff reports that Accent

has delivered their service in a timely and professional manner, and they recommend continuing this relationship as the contract provides.

THEREFORE, the board authorized the president to sign an addendum to the current vending services contract with Accent Food Services that extends the term of the agreement until August 31, 2013. This agreement will guarantee payment to the university of 15% of gross sales each month with a minimum annual guarantee of \$31,100.

UNIVERSITY POLICIES AND PROCEDURES

BOARD ORDER 08-45

Upon motion by Regent Dickerson, seconded by Regent Ertz, with all members voting aye, it was ordered that the Board of Regents adopt the policy revisions as presented in Appendix 10.

REPORTS

The president offered a report on the following topics:

- August 9 Commencement. The speaker will be Dr. Allen Richman
- Meet the Jacks—August 21 in the Grand Ballroom
- Fall Entertainment Schedule
- Senator Zaffirini's Senate Finance Higher Education Subcommittee
- July 20 and 21, 2009—Early Childhood Research Center Open House

The director of audit services presented a report on the annual audit plan, including the following topics:

- Health Services Audit
- External Reviews: THECB Facilities Review, State Comptroller Audit, NCAA Review
- Annual Risk Assessment

The chair of the Faculty Senate presented goals for 2008-09.

The president of the Student Government Association presented a report on the following topics:

- Texas Student Association
- Watermelon Bash
- SGA Plans
- Introduction of new officers
- 2008-09 Goals and Initiatives

Chair Green adjourned the meeting at 10:15 a.m.

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 2008

Course Information					
Section Id.	Title	Number Enrolled	Credit Hour Value	Total Credit Hours	Texas Education Code Offering Compliance
ELE 533 001	PRACTICUM IN RAWSON-SAUNDERS	1	1	1	\$51.403(d.9)
ELE 577 002	ADVANCED STUDY OF RAWSON-SAUNDERS	1	1	1	\$51.403(d.9)
HMS 440 301	CONSUMER PROBLEMS -- FCSC	2	3	6	\$51.403(d.1)
SPE 341 701	COMM SKILLS FOR VISUALLY IMPAIRED	2	3	6	\$51.403(d.9)
RHB 405 001	REHAB PROCESS AND PRACTICUM	5	3	15	\$51.403(d.2)
MHL 350 001	MUSIC FOR CHILDREN 1	7	3	21	\$51.403(d.2)
HRT 325 001	DESIGN APPLICATION SOFTWARE CAD	9	2	18	\$51.403(d.3)
HRT 325L020	DESIGN APPLICATION SOFTWARE I CAD LAB	9	1	9	\$51.403(d.3)
ENG 348 001	STUDY ABROAD	8	3	24	\$51.403(d.4)
PSY 550 002	SEMINAR IN PSYCHOLOGY	4	3	12	\$51.403(d.2)
BTC 552 451	CONCEPTS IN LAB ANALYSIS	1	3	3	\$51.403(d.9)
BTC 552 851	CONCEPTS IN LAB ANALYSIS	2	3	6	\$51.403(d.9)
MTH 311 001	INTRO TO MODERN MATHEMATICS	9	3	27	\$51.403(d.3)

Total Estimated Credit Hours in Small Classes
 Total Estimated SFA Credit Hours Summer I 2008
 Estimated Small Class Credit Hours as a Percentage of SFA Total Credit Hours

149
 21,861
 .06%

Date:

7-15-08

Approval:



**AGREEMENT BETWEEN
STEPHEN F. AUSTIN STATE UNIVERSITY
COLLEGE OF FINE ARTS
AND
DEAN'S CIRCLE**

This agreement is made and entered into as of the first day of _____, 2008 of and between Stephen F. Austin State University College of Fine Arts, hereinafter referred to as the College, and the Dean's Circle, hereinafter referred to as the Circle.

Whereas, the College is part of the University as a whole, the University Board of Regents formally adopts this Agreement in accordance with its policies; and Circle as an independent association which exists for the support of the University adopts this with its Bylaws.

Whereas, the Circle exists solely to provide services, benefits and support in furtherance of College excellence activities, and

Whereas, the Circle was created to provide guidance, support, and raise funds in furtherance of the College Dean's excellence goals and not to compete or overlap with the mission and purpose of other College related and University recognized Friends organizations, and

Whereas, the College and Circle work together to promote the activities and opportunities for the College, University and East Texas.

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

**GENERAL PROVISIONS
ARTICLE I**

1. To the extent allowed by state law, this agreement shall remain in full force and effect until terminated by either party or superseded by a subsequent agreement. While every effort will be made to provide 60 days written notice for termination of this agreement by either party, Stephen F. Austin State University in accordance with its policy and State law may terminate this Agreement anytime.
2. This agreement is solely between the parties and cannot be assigned to another party without written approval from the non-assigning party.
3. This agreement is entered into within Nacogdoches County and proper venue shall be in Nacogdoches County.
4. This Agreement is subject to and shall be construed under the laws of the State of Texas including Chapter 2255 of the Texas Government Code. The invalidity or illegality of any provision in this agreement shall not affect other terms or conditions of the agreement.
5. This agreement contains the entire agreement of the parties and no change or modification of this agreement is binding unless in writing and signed by the parties.

ARTICLE II

The Dean's Circle agree to provide the following services:

1. Serve as a conduit between the College and the community; offer advice and support for

- the excellence initiatives of the College;
2. Support and execute fund-raising activities of the benefit of the College, within any guidelines or limitations imposed by the University, if any; and
 3. Seek to perform those functions that the College cannot provide itself.

ARTICLE III

The College will provide the following:

1. Reasonable space in the College for the Circle to carry out its obligation;
2. Work with the University's Office of Development to generate receipts, maintain donor gift histories, and provide the Circle with annual gift reports;
3. Utilities and telephone service reasonably needed by the Circle in carrying out its activities;
4. Reasonable use of the College equipment and personnel as needed to coordinate the activities of the Circle with the educational operations of the University. The College hereby expressly recognizes that the president, vice-president, development officers, deans, faculty members may reasonably assist from time to time in development programs or may be needed or helpful in coordinating those Circle activities with the operations of the College. No monetary or pecuniary enrichment will be made to any officer or employee of the University by Circle or its donors. Conduct of employees is governed by the University and when conflicts arise, University policies shall always govern the conduct of its employees. The Dean of the College of Fine Arts shall serve in an ex-officio capacity on the Circle Board;
5. Assistance in research and investigation of individuals, foundations, businesses and corporations best qualified as prospective donors; and
6. Assistance in the coordination of follow-up activities after each solicitation and fund-raising event.

ARTICLE IV

The Board of Advisors of the Circle assures the College that the activities of the Circle will always be in support of the objectives, goals and priorities of the College, as communicated to it by the Dean of the College of Fine Arts. Circle will only raise funds in the name of the University. The College will provide a complete financial report to the Circle on the allocation and use of resources made available through the Circle.

ARTICLE V

Since the Circle will only raise money in the name of the University, the moneys will be deposited in University accounts, invested through the University investment program, and governed in accordance with University policy or as authorized by the University, moneys may also be deposited in the SFASU Foundation, invested through the SFASU Foundation investment program and governed in accordance with SFASU Foundation and University policy.

ARTICLE VI

Disbursements from Circle accounts will be supervised by the Dean of the College of Fine Arts and will be made only for expenditures consistent with the explicit purposes for which the accounts were established and the restriction of the donors. Full documentation will be required for each disbursement. The

University/College reserves the right to accept or deny any gift or donation within its sole discretion.

ARTICLE VII

The allocation and budgeting of unrestricted funds is to be determined by the Dean of the College of Fine Arts based on the restrictions of the donor in any approved gift agreements. Resources raised by other support organizations and for which the College may serve as a fiduciary manager of funds shall be allocated by the restriction of the donor and by the support organization.

The allocation, expenditure, and transfer of all resources raised by the Circle will be reported to the Board of the Circle regularly by the Dean of the College. The Dean of the College of Fine Arts will assure that all expenditures, irrespective of the allocation process, are consistent with state law and the charter of the Circle. When in conflict, State law shall always supersede.

Agreed to this the _____ day of _____, 2008.

DEAN'S CIRCLE

STEPHEN F. AUSTIN STATE UNIVERSITY

President of the Board
Dean's Circle

Baker Pattillo
President

Richard Berry
Provost/Vice President for Academic Affairs

Stephen F. Austin State University

Strategic Planning

On December 19, 2006, Dr. Baker Pattillo, President of Stephen F. Austin State University, appointed a Strategic Planning Committee to begin the process of developing the next strategic plan for the university. The committee began its work in February 2007, and, with the input of the campus community, developed a mission statement for the university that was approved by the Board of Regents in April 2008. The committee studied current issues in higher education and reviewed the demographic, economic, and governmental realities that face Stephen F. Austin State University. In addition, the committee noted the opportunities available to the university.

As requested by President Pattillo, the Strategic Planning Committee developed a limited, achievable set of objectives that will position Stephen F. Austin State University for success in meeting the elements of our mission statement and will enable SFA to continue to develop as a "high quality, student-focused, comprehensive university."

Strategic Plan 2013: Preparing for the Future is presented as six initiatives; in addition, the committee has included a number of strategies for implementation to achieve each initiative. The list of strategies includes items that are of high importance; however, the list is not exclusive. The campus community will develop action items to support the strategies and the initiatives. These efforts will be coordinated through the administrative divisions of the university.

These initiatives and strategies provide a framework that will guide Stephen F. Austin State University in operational planning and decision-making in the years to come. Successful achievement of the six initiatives will result in a better institution, offering greater value to our students and to the state of Texas.

Mission Statement

Stephen F. Austin State University is a comprehensive institution dedicated to excellence in teaching, research, scholarship, creative work, and service. Through the personal attention of our faculty and staff, we engage our students in a learner-centered environment and offer opportunities to prepare for the challenges of living in the global community

Strategic Plan 2013: Preparing for the Future Initiatives

Initiative #1 - Enhance excellence in teaching and learning, research, scholarship, creative work, and service

Initiative #2 - Improve faculty and staff compensation, recognition, and support

Initiative #3 - Increase undergraduate and graduate enrollment

Initiative #4 - Develop a learner-centered environment

Initiative #5 - Create new learning opportunities through additional interdisciplinary, international, service learning, and civic engagement experiences

Initiative #6 - Increase the visibility of the university through marketing initiatives

Strategic Plan 2013: Preparing for the Future Strategies

<u>Initiative #1</u>	Enhance excellence in teaching and learning, research, scholarship, creative work, and service
Strategy 1	Raise freshman admission standards to be effective no later than Fall 2012
Strategy 2	Establish departmental standards for excellence in teaching and learning for use in decisions regarding merit, tenure and promotion
Strategy 3	Establish departmental standards for excellence in research, scholarship and creative work for use in decisions regarding merit, tenure and promotion
Strategy 4	Establish departmental standards for excellence in service for use in decisions regarding merit, tenure and promotion
Strategy 5	Increase the number of opportunities for student research and creative work
Strategy 6	Expand collaboration between University Affairs and Academic Affairs to create resources/opportunities for increasing active learning opportunities
Strategy 7	Increase the number of partnerships, agreements, and other formal relationships with schools, colleges, universities, businesses, and other organizations --in Nacogdoches, East Texas, in Texas, nationally and internationally
<u>Initiative #2</u>	Improve faculty and staff compensation, recognition, and support
Strategy 1	Make compensation the highest budgetary priority, with a goal of average SFA salaries at 100% of national averages by 2013
Strategy 2	Increase professional development funding for faculty and staff
Strategy 3	Reestablish monthly faculty/staff campus newsletter in online version by March 2009
Strategy 4	Develop a mini-grant program to support faculty innovation in teaching and research involving students by December 2008

Initiative #3 Increase undergraduate and graduate enrollment

- | | |
|-------------------|--|
| Strategy 1 | Develop unit goals and incentives for discipline-specific and interest-based recruitment by February 2009 |
| Strategy 2 | Develop unit goals and incentives for discipline-specific and interest-based retention by February 2009 |
| Strategy 3 | Increase retention of first-time, full-time freshmen for one year to 70% by Fall 2012 |
| Strategy 4 | Organize a comprehensive university first-year experience by September 2010 |
| Strategy 5 | Hire additional professional advisers for college-based academic advising centers or programs |
| Strategy 6 | Collaborate with city and community leaders to enhance the student experience in Nacogdoches |
| Strategy 7 | Develop degree programs and certificate programs with potential for substantial enrollment |
| Strategy 8 | Revise or eliminate low-producing degree programs |

Initiative #4 Develop a learner-centered environment

- | | |
|-------------------|--|
| Strategy 1 | Complete rollout of the wireless network by December 2009 |
| Strategy 2 | Increase enrollment in online courses and programs by 500% by 2013 |
| Strategy 3 | Increase use of teaching technologies and strategies and active learning opportunities leading to greater student engagement |
| Strategy 4 | Establish university-wide learning and development outcomes in order to measure the "value added" by the SFA student experience |
| Strategy 5 | Improve the quality and availability of student affairs resources for online students |
| Strategy 6 | Increase use of assessment data to improve instruction and curriculum |
| Strategy 7 | Increase the diversity of the university faculty and staff |

<u>Initiative #5</u>	Create new learning opportunities through additional interdisciplinary, international, service learning, and civic engagement experiences
Strategy 1	Increase enrollment of international students to 300 by 2011
Strategy 2	Create more engagement opportunities between international students and domestic students to increase global awareness and understanding
Strategy 3	Enhance reflective components of co-curricular community service and civic engagement projects to increase learning benefits
Strategy 4	Increase study abroad opportunities and participation by 50% by 2011
Strategy 5	Increase service learning opportunities in each college
Strategy 6	Establish more interdisciplinary programs, courses, certificates, and degrees

<u>Initiative #6</u>	Increase the visibility of the university through marketing initiatives
Strategy 1	Create and implement a comprehensive marketing plan for SFA
Strategy 2	Improve communication with all stakeholders

Capital Plan Project Items

Infrastructure

E&G Campus Deferred Maintenance Plan

H.B. 153 in the 79th 3rd Called Session provided \$10,000,000 to use for education and general campus deferred maintenance. Pursuant to Texas Education Code 55.1758, Stephen F. Austin State University wishes to issue \$10,000,000 of tuition revenue bonds for the purpose.

Admissions Office Space Renovation

The Admissions Office has space on the first floor of the Rusk Building that was formerly used as a Communication Department photography lab. The space must be reconfigured from laboratory space to office space. The estimated cost is \$150,000 and the fund source is the Higher Education Fund. The administration recommends that the president be authorized to sign associated purchase orders or contracts.

Campus Signage

The University recently installed directional signs across campus. As part of a campus landscape improvement process, other campus signage options were analyzed. The estimated cost is \$700,000 and the fund source is the Higher Education Fund. The administration recommends that the president be authorized to sign associated purchase orders or contracts.

Campus Lighting

Over a period of years the University has upgraded campus lighting. Additional lighting is needed along Griffith and Clark Streets. The estimated cost is \$154,000 and the fund source is the Higher Education Fund. The administration recommends that the president be authorized to sign associated purchase orders or contracts.

Lucille Norton Complex Gym Floor Resurface

The gym floor surface in the Lucille Norton Complex has deteriorated and must be resurfaced. The gym in need of repair is the larger of the two located in the complex and is used for Kinesiology activity instruction. The estimated cost is \$150,000 and the fund source is the Higher Education Fund. The administration recommends that the president be authorized to sign associated purchase orders or contracts.

Equipment

Johnson Coliseum HVAC Replacement

The Johnson Coliseum has two over thirty year old chillers in poor condition that supply cooling to the public portion of the building. Many parts for the units are no longer available. Salvage parts are used for unit maintenance. The estimated cost is \$725,000 and the fund source is designated fund balance. The administration recommends that the president be authorized to sign associated purchase orders or contracts.

Johnson Coliseum Equipment Replacement

The Johnson Coliseum is a multi-use facility that serves both athletic and academic purposes. In addition to athletic events, three university graduations and a freshman convocation are held each year. The coliseum has a public address system that is approximately thirty years old and needs to be replaced. In addition, a video screen at the north end of the coliseum needs to be installed. The estimated cost is \$550,000 and the fund sources are designated fund balance, \$450,000 and the Higher Education Fund, \$100,000. The administration recommends that the president be authorized to sign associated purchase orders or contracts.

Turner Auditorium Light Dimming System

The Turner Auditorium needs the light dimming system to be replaced. The auditorium is used for instruction related productions and fine arts events that feature and support student participation. The estimated cost is \$150,000 and the fund source is the Higher Education Fund. The administration recommends that the president be authorized to sign associated purchase orders or contracts.

Steen Tower HVAC Replacement

The HVAC system in the west tower of Steen Hall (17) is being replaced throughout the summer of 2008 as approved by the Board of Regents at the January 29, 2008 meeting. At the time of that approval the Board was apprised that it would be necessary to replace the same system in the east tower during the summer of 2009. The east tower houses up to 382 students.

The replacement of the east tower system, which is original to the 1968 construction of the facility, will be scheduled to occur during the summer months of 2009 to allow full-occupancy of the hall during the fall 2008 and spring 2009 semesters. This project will also include the replacement of the air-handler that serves the lobby area of the residence hall. The estimated cost is \$700,000 and the fund source is designated fund balance. The administration recommends that the president be authorized to sign associated purchase orders or contracts.

**Stephen F. Austin State University
HEF Budget
Fiscal Year 2008-09**

Department	Item/Project	Amount
Fiscal Year 2008-09 HEF Appropriation		\$7,025,771
Instructional Capital	Academic Capital Equipment	\$1,000,000
Library	Academic Capital Equipment	\$1,000,000
Information Technology Services	Annual PC Replacement	\$1,000,000
Information Technology Services	Banner Access	\$1,420,000
Institutional	Campus Entrance and Boundary Signage	\$ 700,000
Institutional	Contingency	\$ 411,771
Institutional	Debt Service	\$ 300,000
Information Technology Services	Network Infrastructure	\$ 200,000
Institutional	Campus Lighting	\$ 154,000
Admissions	Office Renovation	\$ 150,000
Turner Auditorium	Lighting System	\$ 150,000
Kinesiology and Health Science	HPE Gym Floor Renovation	\$ 150,000
Institutional	Time Management and Reporting Software	\$ 130,000
Institutional	Coliseum HVAC, Sound & Visual	\$ 100,000
Institutional	Road Bus	\$ 100,000
Information Technology Services	Wireless Network	\$ 60,000
Total		<u>\$7,025,771</u>

**Stephen F. Austin State University
Capital Budget
Fiscal Year 2008-09**

Capital Initiative	Project Budget	Source of Funds		
		HEF	Designated Fund Balance	Tuition Revenue Bonds
E&G Campus Deferred Maintenance Plan	10,000,000			10,000,000
Banner Axxess Hardware, Software & Training	1,420,000	1,420,000		
Johnson Coliseum HVAC Replacement	725,000		725,000	
Campus Signage	700,000	700,000		
Steen Hall HVAC Replacement	700,000		700,000	
Johnson Coliseum Equipment	550,000	100,000	450,000	
Road Bus	500,000	100,000	400,000	
Contingency	400,000	400,000		
Campus Lighting	154,000	154,000		
Admissions Office Space Renovation	150,000	150,000		
Turner Auditorium Lighting	150,000	150,000		
Lucille Norton Complex Gym Floor Resurface	150,000	150,000		
Time Management and Reporting Software	130,000	130,000		
Total Capital Budget	<u>15,729,000</u>	<u>3,454,000</u>	<u>2,275,000</u>	<u>10,000,000</u>

**Board of Regents
Stephen F. Austin State University
Nacogdoches, Texas**

**RESOLUTION DECLARING EXPECTATION TO REIMBURSE EXPENDITURES
WITH PROCEEDS OF FUTURE DEBT**

WHEREAS, Stephen F. Austin State University (the University) intends to make a capital expenditure not to exceed of \$10,625,000 to complete the construction, equipping and furnishing of an early childhood research center on its campus in Nacogdoches, Texas (the Project), which is to be funded with proceeds of the issuance of Higher Education Fund bonds as authorized by the Texas Constitution, Art. VII, Section 17 and Texas Education Code Chapters 55 and 62; and

WHEREAS, the University intends to expend an amount not to exceed \$10,625,000 (the Expenditure) for Project costs funded from other legally available funds and intends the Expenditure to be reimbursed from proceeds of Higher Education Fund bonds to be issued by for the Project; and

WHEREAS, under Treas. Reg. Section 1.150-2 (the Regulation), to fund such reimbursement with proceeds of tax-exempt obligations, the University must declare its expectation of such reimbursement before making the Expenditure; and

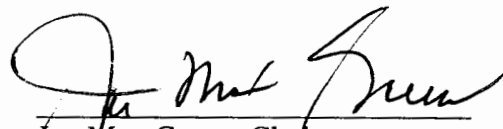
WHEREAS, the University desires to preserve the ability to reimburse the Expenditure with proceeds of tax-exempt obligations;

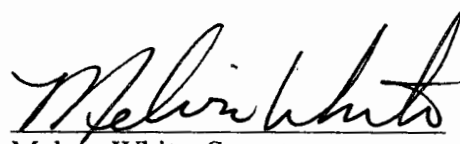
NOW, THEREFORE, THE UNIVERSITY HEREBY RESOLVES that it reasonably expects to reimburse the Expenditure occurring after the date of this resolution with the proceeds of the bonds to be issued hereafter by the University's Board of Regents, and this Resolution shall constitute a declaration of official intent under the Regulation.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the July 15, 2008 meeting of the Board of Regents of Stephen F. Austin State University.

This Resolution will be available for public inspection at the offices of the University at 1936 North Street, Austin Building, Office 315, Nacogdoches, Texas.

Adopted/Rejected by a vote of 9 yeas, 0 nays, effective as of July 15, 2008.


Joe Max Green, Chair
Board of Regents
Stephen F. Austin State University


Melynn White, Secretary
Board of Regents
Stephen F. Austin State University

**Board of Regents
Stephen F. Austin State University
Nacogdoches, Texas**

RESOLUTION AUTHORIZING A REQUEST FOR FINANCING

Stephen F. Austin State University
Campus Deferred Maintenance Reduction Plan

WHEREAS, the Texas Public Finance Authority (the "Authority") has the exclusive authority to act on behalf of Stephen F. Austin State University (the "University") in the issuance of bonds pursuant to Texas Government Code, Section 1232.101 as amended; and


WHEREAS, the University has been authorized to acquire, purchase, construct, improve, renovate, enlarge, or equip facilities, including roads and related infrastructure associated with a campus deferred maintenance plan of the University (the "Project") to be financed by the issuance of bonds pursuant to Texas Education Code 55.1758 in the aggregate principal amount not to exceed \$10,000,000, and to renovate other facilities, with any portion of this amount not needed for the Project ; and

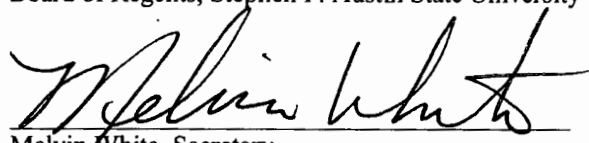
WHEREAS, the Board of Regents of Stephen F. Austin State University (the "Board of Regents") now desires to approve and authorize financing the Project , and authorize the President of the University (the "President") or his designee to submit a request for financing to the Authority to issue bonds in an aggregate amount not to exceed \$10,000,000 to finance the Project and to take other actions related thereto.

THEREFORE, BE IT RESOLVED BY THE BOARD OF REGENTS OF STEPHEN F. AUSTIN STATE UNIVERSITY THAT:

- 1) The University is duly authorized by law pursuant to Texas Education Code, Section 57.1758 to acquire, purchase, construct, improve, renovate, enlarge, or equip property, buildings, structures, facilities, roads or related infrastructures for the Project to be financed by the issuance of bonds in the aggregate amount not to exceed \$10,000,000;
- 2) Dr. Baker Pattillo, President, or his designee is hereby authorized and directed to submit a request to the Authority to issue bonds in an aggregate amount not to exceed \$10,000,000 to finance the Project as hereby specifically approved by the Board of Regents and further approved by the Texas Higher Education Coordinating Board as may be required;
- 3) The President or his designee is hereby further authorized to approve, execute, and deliver or cause to be delivered those documents and such other instruments including but not limited to the financing documents required by the Authority's rules, and to take such other actions as are necessary and appropriate in connection with the issuance, sale, or delivery of the bonds;
- 4) Due notice of the meeting and the subject matter of this Resolution was given as required by law; and a quorum of the Board of Regents was present at the meeting at which this resolution was considered.

Adopted/Rejected by a vote of 9 years, 0 nays effective as of July 15, 2008.


Joe Max Green, Chair
Board of Regents, Stephen F. Austin State University


Melvin White, Secretary
Board of Regents, Stephen F. Austin State University

**Board of Regents
Stephen F. Austin State University
Nacogdoches, Texas**

**RESOLUTION DECLARING EXPECTATION TO REIMBURSE EXPENDITURES
WITH PROCEEDS OF FUTURE DEBT**

WHEREAS, Stephen F. Austin State University (the "University") intends to make a capital expenditure not to exceed \$10,000,000 to engage in a deferred maintenance plan on its campus in Nacogdoches, Texas (the "Project"), which is to be funded with proceeds of bonds to be issued by the Texas Public Finance Authority (the "Authority") as authorized by Texas Education Code, Section 55.1758 (enacted by House Bill 153, Acts of the 79th Legislature, 3rd Called Session)); and

WHEREAS, the University intends to expend an amount not to exceed approximately \$10,000,000 (the "Expenditure") for Project costs funded from other legally available funds and intends the Expenditure to be reimbursed from proceeds of bonds to be issued by the Authority for the Project; and

WHEREAS, under Treas. Reg. Section 1.150.2 (the "Regulation"), to fund such reimbursement with proceeds of tax-exempt obligations, the University must declare its expectation of such reimbursement before making the Expenditure; and

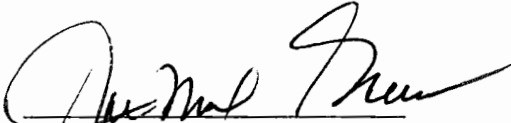
WHEREAS, the University and the Authority desire to preserve the ability to reimburse the Expenditure with proceeds of tax-exempt obligations;


NOW, THEREFORE, THE UNIVERSITY HEREBY RESOLVES that it reasonably expects to reimburse the Expenditure occurring after the date of this resolution with the proceeds of the bonds to be issued hereafter by the Authority, and this Resolution shall constitute a declaration of official intent under the Regulation.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the July 15, 2008 meeting of the Board of Regents of Stephen F. Austin State University.

This Resolution will be available for public inspection at the office of the Authority at 300 West 15th Street, Suite 411, Austin, Texas, and at the office of the University at 1936 North Street, Austin Building, Office 315, Nacogdoches, Texas.

Adopted/Rejected by a vote of 9 yeas, 0 nays, effective as of July 15, 2008.


Joe Max Green, Chair
Board of Regents
Stephen F. Austin State University


Melvin White, Secretary
Board of Regents
Stephen F. Austin State University

**Policies for Board Review
July 15, 2008**

Policy Name	Policy Number	Action/Change	Page Number
Academic Appointments and Titles	E-1A	Added rank of visiting instructor. Other minor wording changes.	P-3
Chair Teaching Load	E-7A	Changed policy title. Major rewrite.	P-6
Class Attendance and Excused Absence	A-10	Students are responsible for notifying of absence in advance. Faculty members requiring students to be absent must submit explanation and list to provost.	P-8
Commencement	A-11	Minor wording changes.	P-10
Faculty Code of Conduct	E-72	Minor wording changes.	P-11
Gift Reporting	C-15	Job title updated.	P-13
Gifts, Loans, Endowments and Bequests	C-16	Job title updated.	P-15
Grants and Contracts Administration	A-56	Generalized academic units. Updated cross references and added forms.	P-21
Hazing	D-16	Minor wording changes. Updated captions.	P-22
Memberships	C-17	Minor wording changes. Updated captions.	P-25
Off-campus Classes	A-34	Policy title changed. Wording clarification.	P-26
Petitions and Handbills	D-25	Identifying information not required on petitions or handbills, but approval required in that case. No approval required if identifying information included.	P-28
Pineywoods Conservation Center	B-26	Policy title changed. Cost based on reservation made. Other minor wording changes.	P-30
Professional and Consultant Services	C-45	Updated cross references and added process information.	P-32
Property Inventory and Management	C-42	Major rewrite.	P-38
Property Liability	B-34	Amended liability statement.	P-46
Public/Student Health	D-26	VPUA may convene committee to advise and assist in public health efforts.	P-48

Policy Name	Policy Number	Action/Change	Page Number
Signs and Exhibits	D-31	Signs posted on kiosks do not have to have identifying information, but those with no ID must be approved. Multiple signs may be removed if space is limited.	P-50
Student Account Receivables	C-59	NEW POLICY	P-55
Student Conduct Code	D-34.1	Major rewrite.	P-61
Student Discipline	D-34	Major rewrite.	P-67
Student ID Cards	F-27	Updated location names. ID required for Student Rec Center.	P-88
Tenure	E-50A	Major rewrite.	P-89
Turner Auditorium	B-28	Minor wording changes.	P-104
Year-End Purchasing	C-40	Updated captions.	P-111

Academic Appointments and Titles (E-1A)

Original Implementation: September 6, 1979

Last Revision: ~~February 3, 2005~~ July 15, 2008

The allocation of positions and appointments to fill positions is the responsibility of the provost and vice president for academic affairs as delegated by the president of the university. The dean of the appropriate college makes recommendations to the provost and vice president for academic affairs concerning the creation of new positions and appointments to fill existing vacancies. The faculty in each department participates in the development of staffing plans.

All conditions of appointment are in writing at the time of appointment.

The rank of initial appointment is based upon the qualifications of the appointee in relation to programmatic needs of the appropriate ~~college~~ *academic unit* and the university. In order to be appointed to categories 1 through 3, ~~an individual is~~ *are* expected to have completed the highest level course of academic study available in the discipline of his/her primary responsibility. Ordinarily, that would be a doctoral degree or a master's degree that is considered to be a terminal degree in the particular field. Additionally, all teaching faculty should meet faculty qualifications as prescribed by the Southern Association of Colleges and Schools.

For the appointment of a faculty member or librarian, the appropriate category from the following list shall be used:

Categories 1 through 5 are used for full-time appointments for an academic year and are the only positions creditable toward tenure. These positions are subject to the terms and conditions of the Tenure policy (E-50A). Categories 6 through 11 are used only for full-time or part-time appointments for a semester or a full academic year. Service in these non tenure track ranks is NOT creditable toward tenure and NOT subject to the terms and conditions of the tenure policy. See Academic Promotion policy (E-3A)

1. Professor

The rank of Professor is held by an individual who has a sustained and *distinguished* ~~recognized~~ record of ~~research~~ *scholarly/creative* accomplishments, effective teaching, and service to the academic and general communities *and whose contributions to the profession or field are substantial and are recognized beyond the campus.*

2. Associate Professor

The rank of Associate Professor is held by an individual with a proven record of research/creative accomplishments, effective teaching, and service to the academic and general communities.

3. Assistant Professor

The rank of Assistant Professor is held by an individual who demonstrates the capability to produce research/creative accomplishments, teach effectively, and provide service to the academic and general communities.

4. Instructor

The person appointed to the rank of Instructor may be hired without a terminal degree but with contract provisions specifying completion date. Appointments to this rank after August, 2005, are on tenure track and must go through the tenure process. The minimum criterion for appointment to the rank of Instructor at the university is a master's degree in the field in which the individual will be teaching.

5. Librarian I, II, III, or IV

The minimum criterion for appointment to any rank as Librarian is a master's degree in library science from a school accredited by the American Library Association.

An individual appointed to rank of Librarian II should have the demonstrated capabilities to be an effective and productive librarian and a contributing member of the academic and general communities as evidenced by substantial job accomplishments and participation in professional library organizations or professional service to the university or the community.

An individual appointed to the rank of Librarian III should have a proven record of effective and productive librarianship and have made numerous professional contributions to the academic and general communities through presentations at professional meetings, professional publications, or service to library organizations.

An individual promoted to the rank of Librarian IV should be a librarian whose contributions to the profession of librarianship are substantial and are recognized beyond the confines of the local campus to be of high quality. The applicant's professional contributions to the academic and general communities should be significant as evidenced by exceptional records of accomplishment in the lower ranks

6. Senior Lecturer

Generally, the Senior Lecturer title is used for a full-time, nine-month position given to someone who has a terminal degree. Service in this position is not creditable toward tenure.

7. Lecturer

Generally, the Lecturer title is used for a full-time, nine-month position given to someone who has not completed a terminal degree. Service in this position is not creditable toward tenure.

8. Adjunct

Generally, the Adjunct title is used for a full-time or part-time position that is awarded on a semester by semester basis. This category is used to fill temporary vacancies. Service in this position is not creditable toward tenure.

9. Visiting (Rank): Professor, Associate Professor, Assistant Professor, *Instructor* or Lecturer

These positions are full-time, nine-month or semester appointments depending on the circumstances. *The visiting instructor may hold this position at another institution and does not hold a terminal degree.* The visiting assistant professor may hold the assistant position at another institution, ~~or may have recently completed the terminal or be ABD (all but dissertation).~~ The visiting associate and visiting full professors shall have attained the rank of associate or full professor at another institution *and must hold a terminal degree.* Service in this rank is NOT creditable toward tenure.

10. Designated

This category is used for part-time and/or full-time appointments. Appointees in this category may carry specially designated titles (assigned by the appropriate academic dean in consultation with the provost and vice president for academic affairs). The designated title should reflect the appointee's assignment. Designations such as the following are suggested examples: Clinical Instructor, Artist-in-Residence, Director of Bands, Research Associate, ~~Librarian I-T, II-T, III-T, or IV-T~~ *Archivist.* ~~These librarian ranks are used only for temporary full-time or part-time appointments for a semester or a full academic year.~~ Service in these ranks is NOT creditable toward tenure.

11. Graduate Assistant

This rank is used only for appointments of enrolled graduate students in teaching, administration or research. Service in this rank is NOT creditable toward tenure.

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

Cross Reference: *Policy E-3A, Academic Promotion;* *Policy E-50A, Tenure*

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

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

Academic Chair/Director Teaching Load (E-7A)

Original Implementation: May 24, 1979

Last Revision: ~~April 30, 2002~~ July 15, 2008

The teaching load of a ~~department~~ *academic department chair/directors* shall be determined annually by the dean in consultation with the ~~department~~ *academic chair/director* based on the changing needs and objectives of the department/school. Such factors as number of faculty (*full time equivalent [F.T.E.]*), number of majors, and complexity of the department/school shall be considered in determining the teaching load of the *academic chair/director*.

One *possible* example, which incorporates only the number of faculty members (*F.T.E.*) in a given department/school, is provided below:

No. of Faculty Members, <i>F.T.E.</i> (Including Chair)	Calendar Year (12-Month Appointment)	Calendar Year (11-month Appointment)
1 - 10	Combination of lecture, lab, or other type of instruction of 20-21 semester credit hours <i>taught within the full academic year (September 1 thru August 31)</i> (not less than 6 semester credit hours in each fall and spring semester).	Combination of lecture, lab, or other type of instruction of 17-18 semester credit hours <i>taught within the full academic year (September 1 thru August 31)</i> (not less than 6 semester credit hours in each fall and spring semester).
11 - 15	Combination of lecture, lab, or other type of instruction of 18 semester credit hours <i>taught within the full academic year (September 1 thru August 31)</i> (not less than 3 semester credit hours in each fall and spring semester).	Combination of lecture, lab, or other type of instruction of 14-15 semester credit hours <i>taught within the full academic year (September 1 thru August 31)</i> (not less than 3 semester credit hours in each fall and spring semester).
Above 15	Combination of lecture, lab, or other type of instruction of 15 semester credit hours <i>taught within the full academic year (September 1 thru August 31)</i> (not less than 3 semester credit hours in each fall and spring semester).	Combination of lecture, lab, or other type of instruction of 11-12 semester credit hours <i>taught within the full academic year (September 1 thru August 31)</i> (not less than 3 semester credit hours in each fall and spring semester).

See also Departmental Administration policy for details regarding responsibilities, selection and evaluation.

Source of Authority: Vice President for Academic Affairs

Cross Reference: Departmental Administration, E-10A

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

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

Forms: None

Class Attendance and Excused Absence (A-10)

Original Implementation: November 9, 1981

Last Revision: ~~February 3, 2005~~ July 15, 2008

Class Attendance

Regular and punctual attendance is expected for all classes, laboratories, and other activities for which a student is registered. For those classes where attendance is a factor in the course grade, ~~the~~ instructors shall make ~~his/her~~ *their* class ~~policy~~ *policies* known on the syllabus in writing during the first week of the term and shall maintain an accurate record of attendance.

Excused Absences

Students may be excused from attendance for certain reasons, among these are absences related to health, family emergencies, and student participation in certain university-sponsored events. *However, students are responsible for notifying their instructors in advance whenever possible for excusable absences.*

Students are responsible for providing timely documentation satisfactory to the instructor for each absence. Students with acceptable excuses may be permitted to make up work for absences to a maximum of three weeks of a semester or one week of a six-week summer term when the nature of the work missed permits. Whether excused or unexcused, a student is still responsible for all course content and assignments.

In the case of absences caused by participation in university-sponsored events, announcement via My SFA ~~by the Provost/Vice President for Academic Affairs~~ will constitute an official excuse. Faculty members *sponsoring activities which require their students to be absent from other classes must submit electronically to the provost and vice resident for academic affairs (VPAA) should submit as an attachment to an e-mail a written* explanation of the absence, including the date, time and an alphabetical listing of all students attending *to be posted on MySFA.* ~~to the office of the Provost/Vice President for Academic Affairs for publication.~~

Source of Authority: Vice President for Academic Affairs

Cross Reference: General Bulletin, Student Handbook and Activities Calendar

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

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

Forms: None

Commencement (A-11)

Original Implementation: February, 1984

Last Revision: ~~February 3, 2005~~ July 15, 2008

Stephen F. Austin State University will hold commencement ceremonies at the end of the fall, spring, and summer semesters. Arrangements for the ceremonies are the responsibility of the registrar. Selection of and arrangements for a speaker, are the responsibility of the president in consultation with the Commencement Speaker Advisory Committee.

~~Because of~~ Commencement *is an* 's important ~~tee~~ as a symbol of the university's core function. ~~faculty members are encouraged to attend.~~ In order to have adequate *faculty* representation of ~~faculty~~ at commencement, ~~each permanent full time faculty members of the faculty is~~ ~~are obliged~~ *obligated* to attend at least one commencement each ~~calendar~~ *academic* year. For faculty teaching in the second summer ~~term~~ *semester*, attendance at the August ceremony is required. ~~Department Academic~~ chairs/directors are responsible for assuring faculty members' ~~compliance~~ *comply* with ~~this~~ provisions of this policy.

~~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: Provost and Vice President for Academic Affairs

Forms: None

Faculty Code of Conduct (E-72)

Original Implementation: April 28, 2005

Last Revision: ~~July 14, 2005~~ July 15, 2008

Purpose: ~~This is to establish standards of conduct for the faculty of Stephen F. Austin State University.~~

PROCEDURE

~~1.~~ Tax-supported colleges and universities must function in accordance with the public trust, and actions by faculty within them must be consistent with the execution of that trust.

~~2.~~ The following offenses are *examples of* ~~hereby defined to exemplify and define~~ actions that are in breach of that trust:

- ~~a.~~ 1. Plagiarism;
- ~~b.~~ 2. Forgery, unauthorized alteration or use of university documents, records, or identification materials;
- ~~c.~~ 3. Knowingly furnishing false information to the university;
- ~~d.~~ 4. The use of violent or other forceful methods to obstruct the functions of the university, which include teaching, research, administration, public service, presentations by guest lecturers and speakers, and other authorized activities;
- ~~e.~~ 5. Physical abuse of any person on university-owned or controlled property or at university-sponsored or supervised functions, or conduct that threatens or endangers the health or safety of any such person;
- ~~f.~~ 6. Theft of or negligent damage to the university or to the property of a member of the university community or campus visitor;
- ~~g.~~ 7. Unauthorized entry to or use of university facilities;
- ~~h.~~ 8. Unlawful manufacture, distribution, dispensing, possession or use of controlled substance, or any substance the possession or distribution of which is regulated by federal or Texas law, except where the manufacture, distribution, dispensing, possession, or use are in accordance with the laws of each;
- ~~i.~~ 9. Lewd, indecent, or obscene conduct *or language* on university-owned or controlled property or at a university-sponsored or supervised function; and
- ~~j.~~ 10. Violation of other promulgated university policies or rules.

Procedures

- ~~3.~~ 1. Each faculty member is required to notify the university of any ~~Felonious~~ *felonious* ~~Criminal~~ *criminal* ~~Conviction~~ *conviction* no later than five days after such conviction.

- 4.2. Violations of the standards established in this policy can result in the assessment of a penalty ranging from an oral reprimand to separation from the university. Tenured and tenure-track faculty members are also subject to standards and procedures in Tenure Policy E-50A.
- 5.3. ~~Each~~ Faculty members ~~employee shall be~~ are required to abide by the terms of this policy as a condition of employment.
- 6.4. Violations of the standards established in this policy should immediately be brought to the attention of the *academic chair/director* ~~person~~ to whom the individual is responsible and the dean of the college. The ~~provost~~ *Provost and Vice President for Academic Affairs* in consultation with the *academic chair/director* ~~person~~ and the dean will decide whether the allegation is true and what action should be taken. ~~The university president is the next superior level of administrator who will be fully informed of the allegation if there are any further inquiries or required actions.~~
- 7.5. Faculty *members* may appeal disciplinary action taken pursuant to this policy by following the appeal procedure outlined in Guarantees Relating to Matters other than Termination and Non-Renewal of Contracts E-26A or Tenure Policy E-50A.

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

Cross Reference: E-50A Tenure Policy , E-46 Discrimination Complaints/Sexual Harassment, C-42 Property Inventory and Management, B-1 Use of University Facilities, E-5 Alcohol/Drug Free Workplace, E-26A Guarantees Relating to Matters other than Termination and Non-Renewal of Contracts

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

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

Forms: None

Gift Reporting (C-15)

Original Implementation: July 18, 1981

Last Revision: ~~July 10, 2007~~ July 15, 2008

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. The department receiving the 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~~ *executive director* for development. All exceptions approved by the ~~vice-president~~ *executive director* for 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~~ *executive director* for 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.

Cross Reference: None

Responsible for Implementation: ~~Vice President~~ *Executive Director* for Development

Contact for Revision: ~~Vice President~~ *Executive Director* for 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: ~~July 10, 2007~~ July 15, 2008

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~~ *executive director* for development for safekeeping.

The ~~vice president~~ *executive director* for 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~~ *executive director* for 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~~ *executive director* for 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~~ *executive director* for 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.
2. The expenditure of the gift funds must be for the demonstrable good of the institution.
3. 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~~ *executive director* for 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~~ *executive director* for development and the president.

Publicity

The ~~vice president~~ *executive director* for 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~~ *executive director* for 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~~ *Executive Director* for Development

Contact for Revision: ~~Vice President~~ *Executive Director* for Development

Forms: None

Grants and Contracts Administration (A-56)

Original Implementation: August 1, 2000

Last Revision: ~~February 3, 2005~~ July 15, 2008

The effective administration of contracts and grants is an essential operational function. The provost and vice president for academic affairs establishes and publishes procedures designed to assure that all research and sponsored programs are conducted in accordance with university policies and procedures; with laws and regulations; and with the provisions of the contracts and grants themselves. These procedures for the administration of grants and contracts are outlined in the Technical Assistance Manual published by the Office of Research and Sponsored Programs.

Deans and *academic chairs/directors* are responsible for reviewing proposals for grants and contracts and for assuring that the proposed commitments of ~~the department and college~~ *unit* resources are feasible and realistic.

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

Cross Reference: ~~p~~Policy A-11.5, *Conflict of Interest in Sponsored Activities*; ~~p~~Policy A-31.5, *Misconduct in Research*; ~~p~~Policy A-62, *Human Subjects Protection*; Policy E-9, *Salary Supplements, Stipends and Additional Compensation*; ~~p~~Policy A-68, *Effort Reporting and Certification for Sponsored Activities*; ~~A-39 Research Enhancement Program~~, Technical Assistance Manual.

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

Contact for Revision: Provost and Vice President for Academic Affairs; *Director, Office of Research and Sponsored Programs*

Forms: OSRP Proposal Clearance Form, Revision Clearance Form, Request to Establish an Account – *External Grants and Contracts*, *Effort Certification Reports for Faculty and Salaried Employees* ~~Time and Effort Reporting Forms~~.

Hazing (D-16)

Original Implementation: September, 1987

Last Revision: ~~July 14, 2005~~ July 15, 2008

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.

Definitions

Hazing: 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:

1. any type of physical brutality such as whipping, beating, striking, branding, electronic shocking, placing a harmful substance on the body, or similar activity;
2. 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;
3. any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug or other substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health of the student;
4. any activity that intimidates or threatens the student with ostracism, that subjects the student to extreme mental stress, shame, humiliation, 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 submit to the acts described in this policy;
5. any activity that induces, causes, or requires the student to perform a duty or task which involves a violation of the Penal Code.

Committing an Offense: The organization and any individual involved in hazing commits an offense by:

1. engaging in hazing;
2. soliciting, encouraging, aiding or directing another engaging in hazing;
3. intentionally, recklessly or knowingly permitting hazing to occur;

4. 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.

Organization Hazing Offense: An organization commits an offense if the organization condones or encourages hazing or if an officer or any combination of members, pledges, or alumni of the organization commits or assists in the commission of hazing.

Consent: 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.

Penalties - University

Individual: Each individual committing an offense is subject to university penalties ranging from probation to expulsion.

Organization: Student organizations committing an offense may be placed on university probation and are subject to withdrawal of university recognition.

Penalties - Criminal

Individual: Penalties relative to criminal prosecution range from a fine of \$2,000 and/or 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.

Organization: The student organization may be penalized with a fine of up to \$10,000 or double the expenses involved due to the injury, damages or loss.

Notice of Policy

To General Campus Community: This policy shall be published in the General Bulletin, *on the* SFASU Website, and *in* the Schedule of Classes so as to cause all students to be aware of the provisions of this policy.

Of Offenders: A list of organizations that have been disciplined for hazing or convicted for hazing on or off campus during the previous three years shall be included each time this policy is published. The three-year publication will begin as soon as an organization's name can be placed in the first available printing of one of the above named publications. A date in parenthesis following an organization's name will indicate the last year the organization will be included.

Source Of Authority: ~~V.T.C.A., Education Code, secs. 37.151 to 37.157; V.T.C.A., Education Code, secs. 51.936; Board of Regents; President; Vice President for University Affairs~~

Cross Reference: ~~SFASU Web pages, General Bulletin~~

Contact For Revision: ~~Judicial Officer~~

Forms: ~~None~~**Cross Reference:** *V.T.C.A., Education Code, secs. 37.151 to 37.157; V.T.C.A., Education Code, secs. 51.936*

Responsible for Implementation: *Vice President for University Affairs*

Contact for Revision: *Dean of Student Affairs*

Forms: *None*

Memberships (C-17)

Original Implementation: September 1, 1982

Last Revision: ~~October 20, 2005~~ July 15, 2008

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

~~Requests for approval of m~~Memberships ~~must be~~ are processed electronically through the university's online ~~-fFinancial Records-~~sSystem. ~~(FRS) using Requisition Type 'DM'.~~

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

Memberships to be funded from the university's Institutional Membership account must be routed to the president's office for requisition entry.

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

~~Source of Authority~~**Cross Reference :** Texas Government Code, Section 2113.104; State Comptroller Purchase Policies and Procedures Guide, July 2004, Section 2.036; ~~President; Vice President for Finance and Administration.~~

~~Cross Reference :~~ Purchase Requisition, Policy C-30

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

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

Forms: None

Off-Campus Credit Classes-Courses (A-34)

Original Implementation: September 8, 1978

Last Revision: ~~July 14, 2005~~ July 15, 2008

~~The University~~ Stephen F. Austin State University recognizes that offering off-campus credit classes-courses as an important responsibility to the citizens of Texas. As part of this responsibility, the university offers off-campus credit courses designed to meet the educational needs of its clientele of the community it serves.

General policies for offering off-campus credit courses/classes:

- ~~6.a.~~ All off-campus classes-courses offered must be approved by comply with the policies and procedures of the Texas Higher Education Coordinating Board (THECB) and any regional and professional accreditation requirements and meet its guidelines for the conduct of such classes. The responsibility for submitting a proposed off-campus credit course/class rests with the dean of the college offering the class-course in collaboration with the Distance Education Coordinator in the Office of Instructional Technology (OIT) and the Provost and Vice President for Academic Affairs (VPAA).
- ~~7.b.~~ Each department Academic chairs/-, directors, and academic deans proposing to offer an off-campus class-courses has- must notify and work with OIT who is responsible for overseeing THECB notification and reporting procedures. the responsibility, in conjunction with the appropriate department chair/division director, of informing the Distance Education Coordinator by the approved methods and deadlines for course requests, of the intention to offer the class so that peer institutions may be notified according to Coordinating Board rules. Deans and department academic chairs/division directors are also have the responsibility of responsible for scheduling the classcourses, reserving space at reasonable cost, and managing the budgets related to courses and all instructional aspects of the off-campus courses being offered. that class. Each class must have at least ten (10) students
- ~~8.~~ A department offering an off-campus class is responsible for the instructional aspects of the class including staff, content, materials and evaluation as well as for student advising, registration, and degree plans.

Because off-campus instruction makes demands on faculty time and energy beyond that required for on-campus instruction, additional compensation is appropriate. The responsibility for establishing the schedule of compensation rests with the Provost and Vice President for Academic Affairs. academic dean and VPAA

Source of Authority ~~Cross Reference:~~ Texas Education Code, Title III, sub-Title A, Chapter 51, Subchapter C, Sec. 61.051; and Provost and Vice President for Academic Affairs

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

Contact for Revision: Provost and Vice President for Academic Affairs

~~Cross Reference:~~ None

Forms: None

Petitions and Handbills (D-25)

Original Implementation: July, 1980

Last Revision: ~~October 30, 2007~~ July 15, 2008

These rules shall govern the circulation and distribution of all petitions (a document embodying a formal written request made to an official person or organization) and handbills (a printed sheet that is distributed by hand), on university property.

1. Students, employees, and their approved organizations may circulate and distribute petitions and handbills on university property, except in academic buildings unless otherwise authorized by law.
2. Visitors, defined as any person who is not presently enrolled as a student nor is presently employed by the university, may circulate and distribute petitions and handbills in assigned areas of campus upon approval.
3. *Students, employees, and their approved organizations shall require no previous approval to circulate or distribute petitions and handbills on university property so long as the individual or group(s) sponsoring the petitions or handbills is clearly identified in writing on the material itself.*
- 3.4. All persons or organizations seeking to distribute a petition or handbill *without identifying information* must complete a registration form with the Office of Student Activities and deposit a true and correct copy of the petition or handbill to be circulated or distributed.
- ~~4. As a condition of approval, the individual or authorized organizational representative completing the registration form must permit the university to release their name and contact information contained on the registration form to any requesting parties.~~
5. Areas and times of circulation and/or distribution are as follows:
 - a. Students, employees, and their approved organizations may circulate and distribute properly registered petitions and handbills on university property at any time and in any location, except in academic buildings unless otherwise authorized by law.
 - b. Visitors may circulate and distribute properly registered petitions and handbills in the area of campus assigned as a part of the registration process. On the days visitors have been approved to be on campus, they may circulate and/or distribute petitions and/or handbills between the hours of 8:00 a.m. and 7:00 p.m. on the days registered for.
 - c. Handbills may not be placed on parked vehicles or any other stationary object, (i.e., table, bench, etc.) as a means of distribution.
6. Registration must be made through the Office of Student ~~Affairs~~ *Activities* at least twenty-four (24) hours in advance to facilitate orderly scheduling of the circulation and/or distribution area(s).

7. Circulation and distribution by all parties must be conducted in compliance with these rules and university policy and must not:
 - a. result in a breach of peace or violation of law
 - b. interfere with the free and unimpeded flow of pedestrian and vehicular traffic; or
 - c. materially disrupt or interfere with the normal activities of the university.
- ~~8. Each petition and handbill to be circulated or distributed on university property must identify the person or organization displaying or distributing it.~~
- 9.8. The person or organization circulating or distribution these materials shall clean and remove any litter which results from this activity.
- ~~10.9.~~ No person or organization may circulate or distribute a petition or handbill that:
 - a. violates the university's policy on solicitation;
 - b. contains material that is obscene or libelous; or
 - c. advocates the deliberate violation of 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.

All decisions regarding prohibition of a petition or handbill based on content would follow the procedures outlined in the signs policy, D-31 Section V.

- ~~11.10.~~ In addition to these rules, petitions and handbills to be circulated and distributed by students, faculty, and staff, and their approved organizations, in:
 - a. residence halls must comply with the rules governing residence halls; and
 - b. the Baker Pattillo Student Center must comply with the rules governing this building and its grounds.
- ~~12.11.~~ These rules do not apply to:
 - a. the university, and its agents, servants, or employees, acting in the course and scope of their agency or employment; and
 - b. the Stephen F. Austin State University Alumni Association and the Stephen F. Austin State University Foundation.

Cross Reference: Stephen F. Austin State University Policy D-31

Responsible for Implementation: Vice President for University Affairs

Contact for Revision: Dean of Students *Affairs*

Forms: Registration Form – Student Affairs/Student Activities

~~Pineywoods~~ Piney Woods Conservation Center (B-26)

Original Implementation: September 1, 1986

Last Revision: ~~July 14, 2005~~ July 15, 2008

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

Reservations for the Piney Woods Conservation Center (PWCC) must be made with the Program Coordinator, (936) 584-2412, 336 County Road 473, Broadus, TX75929, or the Arthur Temple College of Forestry and Agriculture, (936) 468-3301, P.O. Box 6109, Nacogdoches, TX75962-6109.

Reservations

~~1.3.~~ A deposit is required to hold reservations for a specific date. The deposit may be waived for state agencies.

~~2.4.~~ University colleges, *schools*, departments and sponsored programs must submit an I.D.T. account number for deposit and billing purposes.

~~3.5.~~ The deposit or I.D.T. account number is submitted to the PWCC Program Coordinator with a letter detailing the following:

~~1.a.~~ title and nature of program

~~2.a.~~ name, phone number and address of program contact person

~~3.a.~~ estimated number of participants

~~4.a.~~ arrival and departure dates and times

~~5.a.~~ number of meals

~~6.a.~~ number of participants by ~~sex~~ gender for dorm assignments

~~7.a.~~ special requests, i.e., menu preferences, sack lunches, number of classrooms, etc.

Confirmation

~~8.1.~~ A letter or e-mail of confirmation is returned by the program coordinator.

~~9.1.~~ A final count of participants is due to the program coordinator of the PWCC no later than seven (7) days prior to the event.

Billing

Each group is responsible for collecting meal and housing fees for its program. The PWCC will submit a statement at the completion of the program based on the ~~reservation~~ actual number of participants per meal and per bed occupied. Payment is due no later than 10 days after receipt of the bill.

Checks should be made payable to Stephen F. Austin State University and mailed to Office of the Bursar, P.O. Box 63007, Nacogdoches, TX 75963-9918.

Minimum

To maximize use of the PWCC, a twenty-person minimum is required for all groups. Smaller groups may be accommodated at a higher rate or scheduled simultaneously with another group using the facility.

Day and evening programs only (with no overnight reservations): The facilities of the PWCC are available for luncheon, banquets, or planning sessions.

Capacities

The following capacities apply with two rooms sharing one bath (suite):

~~4-1.1~~ 1 person or couple per suite - capacity 16 individuals or 16 couples

~~5-1.1~~ 1 person per room - capacity 32

~~6-1.2~~ 2 people per room - capacity 64

~~7-1.3~~ 3 people per room - capacity 96

~~8-1.4~~ 4 people per room - capacity 128

Rates are established and adjusted periodically for standard meals and accommodations. Special arrangements and prices can be negotiated for large groups, miscellaneous equipment, etc. Standard rates are available upon request. Arrangements may be made for accident insurance coverage for qualified groups. Details are supplied upon request.

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

Cross Reference: Policy B-1, Use of University Facilities

Responsible for Implementation: Vice President for Academic Affairs

Contact for Revision: Dean of the Arthur Temple College of Forestry and Agriculture

Forms: None

Professional and Consultant Services (C-45)

Original Implementation: October 26, 1999

Last Revision: ~~July 10, 2007~~ July 15, 2008

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.

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 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. educational/training services for state employees
3. veterinary services
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 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) 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~~ a 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 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 *and explanation* 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.~~ *Contact the purchasing director or general counsel's office for assistance in completing the Major Consulting Contract Request Form.*

Professional or Consulting Service solicitations greater than \$25,000 will be posted on the Electronic State Business Daily unless purchasing determines that no value is added by the posting.

Professional or Consulting Services \$100,000 or greater must be approved by the Board of Regents. Reference Policy D20.5, Items Requiring Board of Regents Approval.

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.

RESTRICTIONS ON HIRING FORMER OR RETIRED EMPLOYEES

1. HIRING A FORMER 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 funds.

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 funds.

3. HIRING A FORMER EMPLOYEE/RETIREE AS A CONSULTANT *Any*

Funds - 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 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 FORMER OR RETIRED

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

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

Any Funds - Restrictions apply to contracts 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 Qualifications process. Contact the purchasing director to discuss options.

3. 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. See *'When Is A Contract Is Needed'* on the purchasing web-site.
7. The department may draw up a contract using samples provided by the general counsel, or purchasing ~~may complete~~ *can assist in completing* 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 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.

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: Professional/Consulting Services Agreement (General Counsel's web-site)

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Property Inventory and Management (C-42)

Original Implementation: September 28, 1996

Last Revision: ~~October 19, 2006~~ July 15, 2008

Stephen F. Austin State University will comply with the State Property Accounting (SPA) Policies and Procedures, and SPA practitioner's standards. Property acquired under federal or state grants and contracts will be identified and maintained according to the same guidelines as the university's centralized property management and control described herein.

Stephen F. Austin State University shall be identified by SPA as an internal reporting agency.

Centralized property management and control is performed by the Purchasing and Inventory Department. Property responsibility is delegated by the President of the University through the Director of Purchasing and Inventory to two Property Managers.

All references to financial responsibility are inherently understood to apply when employee negligence is involved.

PROPERTY RESPONSIBILITY AND ACCOUNTABILITY

Director of Purchasing & Inventory and Property Managers - The Director of Purchasing & Inventory and two Property Managers are responsible for the overall management of university property, maintenance and control of centralized property records, and disposition of surplus and salvage property.

Department Head - The chair or administrative head of a department is designated "Property Manager" for the department. The Department Head may not delegate this responsibility. The Department Head may be held financially responsible for any property listed on his/her department property record.

Designee - The Department Head may name up to two Designees to receive and submit property communications on his/her behalf. The Designee(s) do not assume property responsibility or accountability in lieu of the Department Head. The Designee(s) may not sign property documents on behalf of the Department head.

Responsible Party - The Responsible Party is that employee who is entrusted with the care and safekeeping of specific pieces of property. The Responsible Party may be held financially responsible for any University property assigned to him/her. If the

Department Head or his/her designee fail to assign property to a Responsible Party, the Department Head shall be listed as the Responsible Party.

All University Employees - All employees will receive the Property Liability Acknowledgement Policy advising that he/she may be entrusted with university property. The Property Liability Acknowledgement (See Property Liability Policy B-34) advises the employee that he/she will be held financially responsible for any property determined to be damaged, destroyed, missing, or stolen due to employee negligence.

PROPERTY DEFINITIONS

Property is defined and will be added to property records in accordance with State Property Accounting (SPA) rules and guidelines. The Property Managers, in conjunction with the Director of Purchasing, and with appropriate administrative approval may determine additional equipment to be tracked in property records. All property definitions are stated in the Property Management Manual.

Property definitions include purchased or donated property. The department is responsible to notify the Property Manager of any donations to determine if the property must be added to property records.

PROPERTY VALIDATION

Each Department Head and Responsible Party is to exercise care and control over the property for which he/she is responsible. Property should be monitored on a perpetual basis. Various procedures for property validation include, but are not limited to, the following:

Annual Property Inventory Audit

Once per year an Annual Property Inventory Audit will be conducted. During the Annual Property Inventory Audit each Department Head is responsible to assign two individuals (the Department Head may be one of the two) to physically count and verify by tag number and room location all items on the official property report for the department. Each piece of property listed on the official property report must be visually viewed, and the official property report checked, marked, or otherwise noted confirming existence of the property, its location and the Responsible Party. Property not located must be documented with an explanation as to the last known information regarding its location. A Missing or Stolen Property Report form may be required.

The Property Inventory must be completed and the official property report and certification returned to the Property Manager by the deadline stated in the Annual

Property Inventory instructions. Departments failing to complete the Annual Property Inventory and return the official property report and certification to the Property Manager by 5:00pm on the deadline date will be given a 2nd deadline and will have all ordering, including P-Cards, shut down until the official property report and certification are received in the Property Manager's office. Reports in campus mail will not be considered received.

Failure to submit the official property report and certification to the Property Manager by 5:00pm of the 2nd deadline will result in department information, including, but not limited to, department name, department head and property values being reported to the Board of Regents at the next regularly scheduled meeting. Reports in campus mail will not be considered received.

Computer Inventory

In addition to the Annual Property Inventory Audit, departments must complete an annual Computer Inventory to facilitate the purchase of campus-wide software licenses and annual analysis of computers for the university Computer Replacement Plan.

Spot-Check Audit

Property spot-check audits will be conducted by Property personnel in a routine fashion to allow independent verification. Spot-check audits will not be performed during annual property inventory.

Monthly Transaction Statements

Transaction statements listing all additions and deletions to each department's property records will be provided monthly to the Department Head and his/her Designee(s).

Adjustment Of Property Records

The following property information must be updated throughout the year as changes occur. Procedures for making these changes are outlined in the Property Management Manual.

1. Department Head - procedures apply to both Outgoing and Incoming Department Heads (interim or permanent); information regarding the change must be completed within 30 days of assuming or relinquishing duties.
2. Responsible Party - procedures apply upon transfer or termination of any employee listed as a Responsible Party on department property records; information

regarding the change must be completed within 30 days of the transfer or termination.

USE OF STATE PROPERTY

University property may be used only for state/university purposes. University property in the custody of any Stephen F. Austin State University employee may not be loaned, sold, traded, thrown away, cannibalized, or disposed of in any manner without the prior authorization of the Property Manager.

Removal Of Property From Campus

University property may be taken off campus only for official business of the university or another state agency. The individual taking equipment off campus assumes financial responsibility and must complete a Removal of Property from Campus form in accordance with procedures outlined in the Property Management Manual.

Property may be taken off-campus for a specific period of time, in which case property will be verified for return on the specified date.

Property may be taken off-campus for an indefinite period of time, in which case the Removal of Property from Campus form must be completed annually. Annual verification of the property will be included in the Annual Property Inventory Audit.

Loaning Property To Another Agency

University property may be loaned to another state agency or institution of higher education. The president must approve the loan of the property in writing and receipt of the property must be acknowledged in writing by the head of the borrowing agency.

TRAINING

Effective October 19, 2006 mandatory training will be required for all Department Heads, Designees, and Responsible Parties. No prior training will be considered in lieu of this requirement. After initial training, refresher updates will be required every 2 years. The Property Managers will accommodate special needs and special training times as needed or desired.

SALVAGE AND SURPLUS PROPERTY

Salvage Property

Salvage property is any personal property which through use, time or accident is so depleted, worn out, damaged, consumed, or outdated that it is obsolete and/or can no longer serve the purpose for which it was originally intended. Salvage property may be discarded or retained for cannibalization of parts, but should be identified for deletion from property records with appropriate documentation and Property Manager approval.

Surplus Property

Surplus property is any personal property that is in excess of the needs of the department and which is not required for its foreseeable future. Surplus property may be new or used but must have additional useful life. Surplus property may be deleted from department property records as follows, with detailed procedures described in the Property Management Manual:

1. Trade-In toward the purchase of new property - trade-ins must be included in solicitations and/or negotiations prior to issuing a purchase order or contract, not added after completion of the purchase process.
2. Transferring Property to another Department - property may be transferred from one department to another by completing a Property Transfer Form (PTF). Procedures for completion and routing are in the Property Management Manual.
3. Transferring property to Surplus - property may be transferred to Surplus by completing a Property Transfer form (PTF). Procedures for completion and routing are in the Property Management Manual. Property transferred to Surplus is available, without cost, for transfer to any department in need of such property. Availability is on a first-come, first-served basis.

PROPERTY DISPOSAL

University property is to be disposed of as allowed and described in the Property Management Manual, with the exception that disposition of property acquired through Federal or State grants and contracts must respect the terms of the grant or contract under which it was acquired. The Property Manager will determine the disposal option that complies with SPA rules and guidelines and best meets the needs of the university.

MISSING OR STOLEN PROPERTY

Missing Property

Missing Property is any personal property that has disappeared with no explanation, the loss of which must be reported IMMEDIATELY to the Property Manager.

A Missing or Stolen Property Report must be completed within 24 hours of reporting the missing property. As part of the report the Department Head must make a determination of negligence on the part of the Responsible Party. Failure to report missing property to the Property Manager IMMEDIATELY may result in a determination of negligence.

Any appropriations withheld from the university due to exceeding the allowed value threshold of missing property will be deducted from the budget of the department responsible for the property. The value threshold is based on the FY 02-03 Appropriations Bill, section 9.03.

Stolen Property

Stolen Property is any personal property that has disappeared by known theft, whether by forced removal, burglary, theft by employee, or other criminal act. Stolen property must be reported IMMEDIATELY to the Property Manager in conjunction with IMMEDIATELY filing a stolen report with the University Police Department.

A Missing or Stolen Property Report must be completed within 24 hours of reporting the stolen property. As part of the report the Department Head must make a determination of negligence on the part of the Responsible Party. Failure to report stolen property to the Property Manager and/or UPD IMMEDIATELY may result in a determination of negligence.

EMPLOYEE NEGLIGENCE

The President, Director of Purchasing and Inventory, Property Managers, Department Head, or Responsible Party will be financially responsible for damaged, destroyed, missing or stolen property if negligence is determined.

Negligence is defined as:

1. failure to exercise reasonable care and safekeeping for university property, resulting in its disappearance or theft;
2. failure to exercise reasonable care to maintain and service property, resulting in deterioration of the property;
3. evidence that property has been damaged or destroyed as a result of an intentional wrongful act or a negligent act.

When the Property Manager has reasonable cause to believe that any university property has been lost, stolen, damaged, or destroyed through the negligence of an employee, an investigation will be conducted by the Property Manager. If the Property Manager determines that negligence is involved, the Department Head, Attorney General's Office,

~~Director of Purchasing & Inventory, SFA Audit Services and Vice President for Finance and Administration will be notified immediately. The Attorney General's Office will investigate and make a final determination of negligence. If the final determination is negligence, the Attorney General's Office will make a written demand for reimbursement from the person(s) responsible for the loss.~~ *investigation confirms negligence, the following individuals/offices will be notified:*

- *SFA Audit Services*
- *State Attorney General*
- *Vice President for the Division*
- *Vice President for Finance and Administration*
- *Director of Purchasing*

While the loss is pending with the AG's office, SFA will determine the value of the property and give the negligent employee(s) an opportunity to provide a Replacement or Reimbursement to the university. The Attorney General's Office may accept the action taken in the previous step and close the case or investigate and make a final determination of negligence – which may be greater or less than that determined by SFA. If the negligent employee(s) do not provide a Replacement or Reimbursement to the university, and negligence is determined, OR if the State Attorney General determines a greater negligence, the State Attorney General will make a written demand for reimbursement to the State.

The Property Manager in consultation with the Department Head will determine whether Replacement of property or Reimbursement of funds best meets the needs of the university. The Property Manager will determine the value of the loss to the university by considering two factors:

Value of the Property – *the value of the property may be considered using any or all of the following information:*

- *Fully depreciated value of \$0*
- *Fair market value*
- *Original purchase value*

Value to SFA – *even though property may have been fully depreciated, its value to the university may be considered to the extent it was used on a regular basis. This value may be determined in consultation with department representatives and Internal Audit Services.*

REPLACEMENT – *If Replacement is elected, the employee(s) must purchase property that is equal to or better in specification than the missing or stolen property. The Department head or designee must confirm in writing that the Replacement property is in the possession of the university and that it is equal or better than the original property. A copy of the specifications should be submitted along with the confirmation. Upon receipt of the confirmation and specifications, the Property Manager will prepare a tag to be affixed to the Replacement property.*

REIMBURSEMENT – *If Reimbursement is elected, the employee(s) must submit to the Property Manager payment for the property, or a copy of the deposit receipt documenting the Reimbursement to the University. The Property Manager will file the deposit receipt with documentation supporting the Reimbursement.*

The department may elect to purchase Replacement property that exceeds the specifications of the old. If this is preferred, pricing for specifications equivalent to the lost property should be determined, and submitted to the Property Manager along with a copy of the deposit receipt documenting the Reimbursement by the employee(s). The department can then complete their procurement following standard procedures.

Source of Authority~~Cross Reference:~~ Texas Government Code, Chapters 403.271(a) through 403.278; 2054.003(3)(A), 2175, and 2203.004; ~~President; Vice President for Finance and Administration; Property Liability Policy B-34~~

Cross Reference: ~~Property Liability Policy B-34~~

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

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

Forms: Annual Property Inventory Audit Certification (provided with Annual Property Inventory Packet), Change In Department Head (ITS Forms Server), Missing, Damaged or Stolen Property Report (ITS Forms Server), Police Report (available from University Police Department), Property Transfer Form (ITS Forms Server), Removal of Property from Campus Request (available on the ITS Forms Server), Salvage Property Request (ITS Forms Server)

Property Liability (B-34)

Original Implementation: April 22, 2003

Last Revision: ~~October 19, 2006~~ July 15, 2008

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

All university employees will be provided a copy of this policy at new employee orientation.

Department Head "Property Managers" will be required to sign a Change In Department Head Certification of Property Inventory, accepting responsibility for all department property within 30 days of assuming their duties. The Department Head is responsible for identifying Responsible Parties who have been entrusted with the care and safekeeping of specific pieces of property. Employees taking equipment off campus will be required to complete a Removal of Property from Campus form. These forms will include the following statement:

"I understand that I may be held ~~am under~~ financially liable for lost, damaged and stolen property as outlined in Texas Government Code 403.275. See Property Liability Policy B-34s or damage to this (these) item(s) if the loss or damage results from my negligence, intentional act, or failure to exercise reasonable care to safeguard, maintain, and service it (them)."

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

1. agency property disappears as a result of the failure of the head of an agency, property manager, or agency employee entrusted with the property to exercise reasonable care for its safekeeping;
2. agency property deteriorates as a result of the failure of the head of an agency, property manager, or agency employee entrusted with the property to exercise reasonable care to maintain and service the property; or
3. agency property is damaged or destroyed as a result of an intentional wrongful act or of a negligent act of any state official or employee.

If the head of the state agency or property manager has reasonable cause to believe that any property in the agency's possession has been lost, destroyed, or damaged through the negligence of any state official or employee, the head of the agency or property manager shall report the loss, destruction, or damage to the comptroller and the attorney general

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

The attorney general may investigate any report received.

If an investigation by the attorney general reveals that a property loss has been sustained through the negligence of a state official or employee, the attorney general shall make written demand on the official or employee for reimbursement of the loss.

If the demand made by the attorney general is refused or disregarded, the attorney general may take legal action to recover the value of the property as the attorney general deems necessary.

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

~~Source of Authority~~**Cross Reference:** Texas Government Code Ann. Sec. 403.271(a) through 403.278; 2203.004; *Property Inventory and Management, Policy C-42***~~President; Vice President for Finance and Administration~~**

~~Cross Reference:~~ *Property Inventory and Management, Policy C-42*

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

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

Forms: *None***~~Property Liability Acknowledgement Form~~**

Public/Student Health (D-26)

Original Implementation: February 29, 1988

Last Revision: ~~January 30, 2007~~ July 15, 2008

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

When circumstances arise that require review, the Vice President for University Affairs will convene a Public/Student Health Committee, consisting of appropriate faculty and staff members. This committee will assist the Vice President in ~~appointed by the Vice President for University Affairs,~~ will coordinating the university's efforts to fulfill its the responsibility concerning public health. In carrying out its tasks, the committee shall follow the guidelines of recognized authorities including: The National Center for Disease Control, the United States Public Health Service, the Texas Department of Health, and the American College Health Association. Further, the committee shall conform its actions to the Texas Communicable Disease Prevention and Control Act and other law.

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

If a public health issue arises that could involve the continuity of business and academic functions of the university, other ad hoc committees may be impaneled to address those particular issues.

Cross Reference: None

Responsible for Implementation: Vice President for University Affairs

Contact for Revision: Vice President for University Affairs

Forms: None

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Signs and Exhibits (D-31)

Original Implementation: July, 1980

Last Revision: ~~July 13, 2006~~ July 15, 2008

I. Introduction

Stephen F. Austin State University reaffirms its commitment to the freedoms of speech and expression by establishing this policy. Individuals have the right to attempt to attract the attention of others, and corresponding rights to hear the speech of others when they choose to listen, and to ignore the speech of others when they choose not to listen. This policy outlines the rules that govern the use of signs and exhibits to attract the attention of others.

Students, faculty, and staff are free to express their views, individually or in organized groups by sign or exhibit, on any topic, in all parts of the campus. Persons not affiliated with the university are free to express their views by sign or exhibit in areas designated for that purpose. These postings and exhibits are subject only to rules necessary to preserve the equal rights of others and the functions of the university. Teaching, research, and other official functions of the university shall have priority.

II. Definitions

"Student" shall mean any person registered for academic credit at the university.

"Faculty" and "Staff" shall mean any person employed by the university.

"Official organization" shall mean any organization recognized by the university.

A "sign" means any method of displaying a visual message to others, except transferring possession of a copy of the message will be considered distribution of literature and not a sign.

A "banner" is a sign hung from a structure, or between two buildings, structures, or poles. A banner posted as part of a manned exhibit may be considered to be a "sign".

A "kiosk" is an outdoor structure designated by the University for the posting of signs.

III. Applicability

The rules articulated in this policy apply to all students, faculty, staff and their official organizations, as well as all other persons and groups. Due to practical administrative

realities, this policy does not apply to the university and its agents, servants, or employees, acting in the course and scope of their employment. This exception also includes official activities of the SFASU Alumni Association and SFASU Foundation.

IV. Signs

A student, faculty member, staff member or their official organization may display a sign by holding it, carrying it; by displaying it at a table, or by posting it on a kiosk, bulletin board, or at another designated location. Signs may not be posted in any other location.

A. Posting Signs on Kiosks

1. Only students, faculty, staff and their official organizations may post signs on kiosks. No advance permission is required *so long as the sponsoring individual or person is clearly identified in writing on the material.*
2. *All persons or organizations seeking to display a sign without identifying information must complete a registration form with the Office of Student Activities and deposit a true and correct copy of the sign to be displayed.*
3. Students and employees posting signs as individuals may not post any sign advertising goods or services for sale except at locations designated for that purpose (see Solicitation on Campus D-33).
4. Due to space considerations, no sign posted on a kiosk may be larger than 11 inches by 17 inches.
5. Each sign posted on a kiosk must identify the student, employee or organization that posted the sign by using the full name of the individual or organization. Each sign must state the date the sign was posted or the date of the event being advertised.
6. Students, faculty, staff and their official organizations must take care to use the names and marks of the University on postings only in ways that are allowable and never in a way that would give the impression an event was sponsored by the University if that is not the case.
7. Signs may not be posted more than fourteen days before the date of the event they advertise.
8. The person or organization that posts a sign on a kiosk must remove that sign no later than fourteen days after it was posted, or twenty-four hours after the event it advertised has concluded, whichever is earlier.

9. No sign may be posted on a kiosk over another properly posted sign.
10. No person or organization may post more than two of the same signs on any one kiosk at the same time. *If space is limited, the university reserves the right to remove multiple signs for the same event, program, or service, or signs sponsored by the same individual or organization, even if each is materially different.*
11. A list of all officially designated kiosks and of locations where students, faculty and staff may post signs advertising goods or services for sale will be available in the Student Activities office and on their website.

B. Signs in Other Designated Locations

Each academic or administrative unit of the university may authorize the posting of signs in spaces that unit occupies and controls.

The use of posting space controlled by academic or administrative units may be limited to official statements or business of the unit, or to certain subject matters of interest within the unit, or to signs posted by persons or organizations affiliated with the unit.

C. Removal of Signs

The ~~dean~~~~executive director~~ of student affairs, or their designee, may remove any sign that violates any of the rules outlined in this policy, or any sign that meets the legal standards below:

1. A sign may be removed if it contains expressions that are an incitement to imminent lawlessness. Such removals may be conducted only with the advice of the general counsel and approval of the vice president for university affairs. Careful consideration must be given to the actual circumstances surrounding such expression, and removal can only occur if it appears that such provocation causes an immediate likelihood of violence or illegal acts. Advocacy of lawlessness is insufficient, and the speech must be directed to inciting or producing imminent lawless action and likely to incite or produce such action.
2. A sign may be removed if it contains "fighting words" expressions. Such removals may be conducted only with the advice of the general counsel and approval of the vice president for university affairs. "Fighting words" are similar to expressions of imminent lawlessness, except they are addressed to individuals on a personal scale. Only those "fighting words" that pose an immediate likelihood to provoke the average person to retaliation and thereby cause a breach of the peace

should be considered under this exception. Again, careful consideration must be given to the actual circumstances surrounding such expression.

3. Signs may be removed if they contain obscenity. Such removals may be conducted only with the advice of the general counsel and approval of the vice president for university affairs. In determining what constitutes obscene material, a three-part test applies:
 - a. The average person applying contemporary community standards would find that the work taken as a whole, appeals to the prurient interest;
 - b. The work depicts or describes in a patently offensive way, sexual conduct specifically defined by the applicable state law; and
 - c. The work, taken as a whole, lacks serious literary, artistic, political, or scientific value.

V. Banners

Banners may be posted and displayed only by academic or administrative departments of the university.

VI. Exhibits

A. Tables

Students, employees and their official organizations may set up tables from which to display literature and disseminate information, subject to this policy.

1. Locations

Students, employees and their official organizations may set up tables in any outdoor location on the campus and in any indoor location subject to the rules governing the building housing this location.

Persons not affiliated with the university may set up tables in designated locations outdoors on campus and in indoor locations subject to the rules governing the building housing this location.

2. Table Permits

Tables may not be set up without a permit. Reservations for space must be made at least twenty-four (24) hours in advance using the Grounds Reservation Form. This form is available in the Student Activities office and on the Student Activities website. This process allows the university the opportunity to provide orderly scheduling of areas that may become crowded.

3. Restrictions

Tables cannot disrupt university functions and/or interfere with vehicular and pedestrian traffic.

Use of amplified sound at tables is governed by the policy "Use of Amplified Sound on Campus Grounds D-21".

Tables may not be set up on the lower level of the Stephen F. Austin statute plaza.

Tables may only be set up inside any building with permission from the academic or administrative unit that controls the space, or from the faculty member or staff member who controls the space at a particular time. Academic or administrative units may specify additional rules by restricting tables to reasonable locations in spaces occupied by that unit.

Each table must have a sign or literature that identifies the student, faculty, staff or organization sponsoring the table.

Any person or organization sponsoring a table shall remove litter from the area around the table.

Students, faculty, staff and their official organizations may supply their own tables. In addition, the office of student activities maintains a supply of tables that may be reserved and checked out for use on campus.

Source of Authority: ~~United States Constitution, Amendments I and XIV; President; Vice President for University Affairs and General Counsel~~

Cross Reference: Use of Amplified Sound on Campus Grounds D-21; Solicitation on Campus D-33

Responsible for Implementation: *Vice President for University Affairs*

Contact for Revision: ~~Executive Director~~ *Dean of Student Affairs*

Forms: None

Student Account Receivables (C-59) NEW

Original Implementation: July 15, 2008

Last Revision: None

I. PURPOSE

This document establishes guidelines for the prudent collection of student accounts receivable in the best interest of Stephen F. Austin State University and the State of Texas. Although this policy primarily applies to student account receivables, including certain university issued short term loans, procedures stated herein may be used to process other delinquent receivables from vendors and non-student accounts. This policy does not apply to the write-off of any federal loans.

II. POLICY STATEMENT

Stephen F. Austin State University is responsible for determining whether the extension of credit in specific cases to students is appropriate and in the best interest of the university to do so. It is the responsibility of the Controller's Office to establish the following:

- A. a process to ensure that the requested extension of credit is not a prohibited transaction.
- B. a procedure to ensure that any extension of credit (installment plan contract, short term loan request, or repayment agreement) is done so in a prudent manner, including the use of standardized credit applications and legal authority required for approval of the requested credit.
- C. a procedure whereby credit is not extended to students who are in default on other obligations or for whom previous obligations have been written off as uncollectible. If a student account is in default, a transcript and registration hold will be placed on the account.
- D. procedures for recording and monitoring the billing, accounting and monitoring the collection activity on student accounts.
- E. procedures for recording and monitoring credit extended and subsequent payments received on student accounts.
- F. procedures to ensure that amounts reported as receivables on the financial statement are recorded in accordance with generally accepted accounting procedures.

III. CRITERIA FOR RECOGNIZING AN ACCOUNT RECEIVABLE

An account receivable will be recognized (recorded in the university's financial records) when:

- A. a student has enrolled for classes at the university or has been registered for classes by the university;
- B. a student has incurred charges for costs associated with attendance (housing and meal charges, post office charges, book purchases, etc.) from which a benefit to the student is derived;
- C. payment is due to the university from the student or a contracted third party;
- D. the revenue from the transaction has been recognized in the university's books and records;
- E. payment has not been received (collected) by the university from the student or contracted third party;
- F. the accounts receivable does not represent an extension of credit that is prohibited by law; and,
- G. the recording is deemed to be appropriate by the university's accounting officers.

IV. RECORDING AN ACCOUNT RECEIVABLE IN THE FINANCIAL RECORDS

An account receivable is recorded in the financial records automatically by the registration process. These entries credit the appropriate revenue accounts and debit the appropriate account receivable accounts in the university's accounting system.

In the event that a student withdraws during the semester, the accounts receivable outstanding balance is reduced by the appropriate percentage refund rate relevant at the time of withdrawal.

V. RECONCILING ACCOUNTS RECEIVABLE

The Controller's Office maintains adequate records of student accounts receivables and prepares a reconciliation of the student receivable records and the financial accounting records following the monthly close of the financial accounting records.

VI. AGING ACCOUNTS RECEIVABLE

The Controller's Office also maintains an aging schedule for all student accounts receivables with the total of the aging schedule balanced to the total recorded accounts receivable. The following aging brackets are to be used:

- Greater than 90 days old
- Greater than 180 days old
- Greater than 1 year old
- Greater than 5 years old

VII. COLLECTING ACCOUNTS RECEIVABLE

The size of the account receivable may influence the collection efforts. The expenditure of time, effort, and money to collect large accounts receivable is appropriate; however, the same efforts expended on very small accounts receivable may not be economical. Guidelines as to the level of attention and the efforts expended on accounts receivables will be set by the university based on recommendations from collection agencies and management.

The following steps are conducted in collecting accounts receivable which are delinquent or in default.

An account will be considered delinquent or in default if the following apply:

- the account balance is at least 181 days old (approximate time semester concludes); and,
- the debtor has not exhibited concern regarding the delinquent account (i.e., requested a repayment agreement); and,
- the debtor is not an active student.

Aging Bracket in Days with Approximate Billing and Collection Activity

Active Students:

- 0 – 30 Payment in full is due unless student is approved for installment plan, repayment agreement, institutional short term loans, or has other pending financial aid.
- 1 – 120 Business Office emails students with balances due.
- 1 – 180 Transcript and registration holds are placed on student accounts that are past due.
- 1 – 180 Registration holds are released if student owes less than \$200 during active registration periods.

Inactive students:

- 0 - 30 Business Office mails first demand letter to students with outstanding balances.
- 30 - 60 Business Office mails second demand letter to students with balances less than \$100, giving students 30 days to pay any outstanding balance prior to turning over account to collection agency.
- 60 – 90 Business Office applies outstanding general deposit to delinquent students account and compiles list to send to collection agency.
- 60 - 90 Collection agency sends warning letter to students with account balances greater than \$100 giving student 30 days to make payment or repayment agreement without incurring collection fees.
- 60 - 120 Student has 30 days to make payment without penalty.
- 90 - 150 Collection agency fees added. Payments in this time period to either the university or the collection agency will be subject to the collection agency fees.
- 90 - 150 Warrant hold placed on student accounts.
- 576 - 1500 Accounts returned. Business Office may refer account to alternate collection agencies for second or third referral (at Business Office discretion).
- 576 - 1825 Accounts turned over to Texas attorney general (at Business Office discretion).

Accounts delinquent or in default in the amount of \$10 or more will be turned over for collection. Initially, students will be sent a warning letter from the collection agency. They will have 30 days to respond to this letter and make payment arrangements prior to being subject to collection agency fees. Collection fees are calculated and added after the 30-day warning letter has been sent. These fees will be negotiated in advance with the collection agencies and are subject to approval from the Attorney General's office. Accounts will also be reported to the Comptroller of Public Accounts as authorized by the Texas Government Code, §403.055 to ensure that no treasury warrants are issued or payments are paid to the debtor until the debt is paid.

If a debtor with a delinquent account makes monthly payments towards the balance or begins making monthly payments within the 30-day window after the collection agency warning letter has been received, the debtor will be treated as an "active" student and will not be turned over to a collection agency unless monthly payments cease before the

account balances are paid in full. However, until the balance has been paid in full, there will be a transcript hold placed on the account. Also, a registration hold will be placed on the student's account until the balance is \$200 or less.

If a debtor has received a 30-day warning letter and begins making monthly payments but then stops making monthly payments, the debtor will be sent to an outside collection agency without further notice to the debtor.

All demand letters should be mailed in compliance with applicable collection laws. If an address correction is provided by the United States Postal Service, the demand letter should be mailed to the corrected address prior to the referral procedures described above. Demand should be made upon every debtor prior to referral of the account to an outside collection agency and the attorney general.

VIII. WRITE-OFF OF AN UNCOLLECTIBLE ACCOUNT

The following accounts may be subject to write-off:

- A. Accounts receivable up to \$10, may be written off by the Controller if all collection efforts have been completed and the account has been outstanding for 5 years.
- B. Accounts receivable between \$10 and \$1,000 may be written off by the Controller if returned as uncollectible by more than two outside collection agencies (first and second referrals) and the account has been outstanding for 5 years.
- C. Accounts receivable over \$1,000 returned as uncollectible by more than three outside collection agencies (first, second and third referrals). Accounts receivable over \$1,000 that have not been collected after the third referral must be referred to the Vice President for Finance and Administration for write-off approval. Requests for write-off should include name, amount, school term, and a statement as to why that accounts receivable has been determined to be uncollectible.

A list of all accounts written off will be filed in the Controller's Office and all student accounts that have been written off will be flagged in the student system. Additionally, a transcript and registration hold will be placed on these student's accounts to prevent these persons from receiving future university services until their balance has been paid in full. Warrant holds placed on the student's account will not be removed until the balance is paid in full.

The following accounts will be forgiven and permanently written off, and the student's account will be marked as paid in full:

- A. Deceased debtors. If the debtor is deceased, the delinquent obligation should be classified as uncollectible and permanently written off after attempts to collect against the estate have been unsuccessful.
- B. Residual amounts as deemed appropriate by the Vice President of Finance and Administration after application of any property deposit, and within guidelines set by state and federal regulations.

IX. FORGIVENESS OF DEBT VERSUS WRITE-OFF OF UNCOLLECTED ACCOUNTS

The write-off of an uncollected account is a bookkeeping entry only and does not relieve the debtor from his financial responsibility to the university. Although the uncollected account has been removed from the financial books and records (i.e., written-off as uncollectible), the university may still have a claim against the debtor and may still seek legal remedy (i.e., file suit for collection in a court of law). Therefore, it is the responsibility of the Controller's Office to maintain adequate records regarding legal financial obligations (i.e., debts) owed to the university.

Student account receivables that are forgiven because of the student's death or because the account balance is considered residual will be treated as paid in full, and records will be treated consistent with other student accounts that have been paid in full.

X. ALLOWANCE FOR DOUBTFUL ACCOUNTS

The university's accounting department maintains an allowance for doubtful accounts on past due accounts for all accounts that have not been written off or forgiven. Prior to closing each fiscal year's books, the Controller's office will analyze and adjust the allowance for doubtful accounts, with offsets to the appropriate revenue accounts or bad debt expense, in accordance with accounting guidelines. An allowance for doubtful accounts will be set up as a contra-receivable in each appropriate general ledger.

Cross Reference: Texas Comptroller's Office Fiscal Policies & Procedures (APS 027); Texas Government Code Chapter 2107

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Controller

Forms: None

Student Conduct Code (D-34.1)

Original Implementation: January 1998

Last Revision: ~~July 10, 2007~~ July 15, 2008

To fulfill its mission, Stephen F. Austin State University reserves the right to sanction and/or exclude those members of its community who are disruptive of the educational process. A student enrolling in the university assumes an obligation to conduct him/herself in a manner compatible with the university's ~~function~~-mission as an educational institution.

This code shall apply to conduct that occurs on university premises, at university sponsored activities, in electronic communities/instructional sites and to off-campus conduct that adversely affects the university and/or the pursuit of its objectives. This code shall apply to a student's conduct even if the student withdraws from the university while a disciplinary matter is pending. The vice president for university affairs, or their designee, shall determine, on a case-by-case basis, if this code should be applied to conduct occurring off campus or in electronic communities/instructional sites

~~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.~~

MiscConduct 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 being subject to the disciplinary proceedings of the university. University proceedings may precede any actions taken by ~~off-campus~~non-university authorities. The determinations and any sanctions resulting from university disciplinary proceedings will be independent of any ~~non-university~~off-campus adjudication. The following list of possible acts is either prohibited by federal, state, or municipal law or by university rules and/or regulations.

1. Hazing (~~a~~Also see University Policy D-16, Hazing)

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 *University Policy D-19, Illicit Drugs and Alcohol Abuse*)

It is the policy of Stephen F. Austin State University that any unlawful manufacture, possession, use, ~~or~~ delivery *or sale* of any controlled substance or illegal drug, *or the delivery or sale of any simulated illegal substance*, 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, *or unauthorized* use, possession, or storage of firearms or unlawful *or unauthorized use of* 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, *dangerous chemicals* or ammunition, on university property; *or unauthorized use, possession, or storage of weapons on campus or in any campus building (including residence halls). This includes BB/pellet guns, paintball guns, slingshots, bows or other devices meant to fire projectiles.*
 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, *stalking, terroristic threats, and phone harassment, verbal or written threats, and physical or* 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, *testing, proctoring or tutoring services*, and sale or use of university property for personal gain.
21. Improper use of student identification card (~~also see Policy F-27, Student ID Cards~~). This includes allowing use of card by another to obtain services such as, but not limited to meals, event admission, and library services. (*also see Policy F-27, Student ID Cards*)
22. Unauthorized or illegal use, *possession or distribution* of alcoholic beverages (~~also see Policy D-19, Illicit Drugs and Alcohol Abuse~~) or products on university property or at university-sponsored activities, including, but not limited to, intercollegiate and intramural athletic events on university grounds ~~and, in academic and administrative buildings, public intoxication, or any alcohol-related crime~~. Housing policies dictate use of alcohol in residence halls and on-campus apartments. (*also see University Policy D-19, Illicit Drugs and Alcohol Abuse*)
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. *Theft, destruction or other abuse of computer facilities and resources, as delineated in university policies including, but not limited to: University Policy D-8.1 Computer & Network Security, University Policy D-42 Digital Millennium Copyright, University Policy D-43 Computing Software Copyright, or University Policy F-40 Acceptable Use of Information.*

Examples of prohibited acts in these policies include:

- a. *Unauthorized entry into a file or account, to use, read, or change the contents, or for any other purpose.*
- b. *Unauthorized transfer or copying of a file or software.*
- c. *Use of another individual's identification and/or password.*
- d. *Use of computing facilities and resources to interfere with the work of another student, faculty member or university official.*
- e. *Use of computing facilities and resources to send obscene or threatening messages.*
- f. *Use of computing facilities and resources to interfere with normal operation of the university computing system.*
- g. *Use of computing facilities and resources in violation of copyright laws.*
- h. *Use of computing facilities and resources activities related to personal for-profit ventures unrelated to the educational mission of the university*
- i. *Violation of any departmental or lab policy.*

24. ~~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 resulting 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, as defined in University Policy E-46, Discrimination Complaints / Sexual Harassment, sexual assault, sexual abuse or other sexual misconduct.*
25. ~~Sexual harassment by a student of any member of the university community as delineated in Policy E-46, Discrimination Complaints/Sexual Harassment, and Policy E-11, Discipline and Discharge, of the SFA Policy Manual on the SFA website.~~
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.

Cross Reference: Hazing (Policy D-16); 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)

Responsible for Implementation: Vice President for University Affairs

Contact for Revision: ~~Judicial Office~~ *Dean of Student Affairs*

Forms: None

Student Discipline (D-34)

Original Implementation: January 19, 1988

Last Revision: ~~July 14, 2005~~ July 15, 2008

Rules of Procedure in Student Disciplinary Matters

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I. Introduction

Definitions

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I. Introduction

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

These Rules of Procedure shall be followed in any disciplinary proceeding commenced after *the* beginning ~~he~~ of the Fall semester, 2008~~5~~, subject to the authority of the board of regents and the authority delegated to the president of the university to exercise jurisdiction over disciplinary matters of the university.

II. Definitions

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

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

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

Complicity: *Being present during the planning or commission of any violation of the Student Conduct Code in such a way as to condone, support, or encourage that violation. Students who anticipate or observe a violation of the Student Conduct Code are expected to remove themselves from association or participation and are encouraged to report the violation.*

Dean of Student Affairs: *As used in these procedures, the Dean of Student Affairs is charged, as a designee of the Vice President for University Affairs, with the responsibility for the administration of these disciplinary procedures.*

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

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

Judicial Officer: As used in these procedures, the Judicial Officer is charged, as a designee of the ~~Vice President~~ *Dean of Student Affairs*, with the daily responsibility for the administration of these disciplinary procedures. Specifically, the Judicial Officer conducts informal hearings for alleged conduct code violations, has appellate authority over residence hall violation hearings, presents the university's case in formal hearings before the Student Conduct Committee and serves as custodian of all Student Conduct Code disciplinary hearing records. *The Dean of Student Affairs may designate additional staff members to serve as hearing officers as the need arises.*

Provost: *As used in these procedures, the provost, or designee, is charged with the primary responsibility for the administration of these disciplinary procedures that relate to academic dishonesty in the classroom as delineated in University Policy A-9.1 Academic Integrity.*

Student: *All persons taking courses at the university, either full-time or part-time, pursuing undergraduate, graduate, or professional studies. Persons who withdraw after allegedly violating the Student Code, who are not officially enrolled for a particular term but who have a continuing relationship with the university or who*

have been notified of their acceptance for admission are considered "students" as are persons who are living in university residence halls, although not enrolled in this institution.

~~A person having once been admitted to the University who has not completed a chosen course of study and who intends to or does continue that course of study at the University. For the purposes of these rules, student status continues whether the University's academic programs are in session or not.~~

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

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

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

Vice President for University Affairs (VPUA): As used in these procedures, the vice president for university affairs is charged with the primary responsibility for the administration of these disciplinary procedures and is the appellate authority for Student Conduct Committee hearings. The vice president may appoint designees to administer disciplinary procedures. *The Dean of Student Affairs shall serve as the primary designee of the VPUA in the administration of these procedures with the daily responsibility for the administration of these disciplinary procedures being delegated to the Judicial Officer.* ~~in addition to or in the absence of the Judicial Officer.~~ *The VPUA may designate additional staff members to serve as hearing*

officers as the need arises. All These designees shall follow the same procedures as outlined for the Judicial Officer *in this policy*.

III. Rights of Charged Students in Disciplinary Proceedings

Any student charged with violating Residence Hall Policy or the Student Conduct Code will be notified through a university-recognized medium to contact the appropriate hearing official for a hearing on the alleged misconduct. The notice will include the date of the alleged violation and the specific provision of the policy or code in question. The rights outlined below will be accorded to any student in a formal or informal hearing for an alleged violation of the Student Conduct Code and for formal hearings for an alleged violation of Residence Hall Policy. A student is not afforded the right of an advisor in an informal hearing for an alleged infraction of Residence Hall Policy due to the nature of these types of offenses and the short timeframe allowed for a case to be resolved.

- a) to be present at the hearing;
- b) to have an advisor of the charged student's choice appear with the student and to consult with such advisor during the hearing except as stated in the previous paragraph;
- c) to hear or examine evidence presented against the charged student;
- d) to make any statement in mitigation or explanation of the conduct in question;
- e) to be informed in writing of the finding and any sanction imposed;
- f) to appeal the finding and sanction to the proper authority;
- g) to waive hearing deadlines as outlined in these procedures;
- h) to have and cross-examine witnesses.

IV. Rights of Victims in Disciplinary Proceedings

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

If a complaint is filed with the judicial officer, it is important to remember that the accused student is being charged with violating a university rule or regulation; therefore, the university is ultimately responsible for initiating charges, imposing sanctions if the charged student chooses to admit the violation, implementing the hearing process, and determining sanctions following a finding of responsibility. Although a victim's input may be sought during the disciplinary process, the ultimate disposition of the case rests with the university. If a victim withdraws the

complaint during the course of the disciplinary proceeding, the university reserves the right to proceed with the case on the basis of evidence other than the testimony of the victim.

During the course of a disciplinary proceeding, a victim of an alleged violent criminal offense or nonforcible sex has the following rights:

- a) to meet with the judicial officer to discuss the disciplinary process.
- b) to submit a written account of the alleged incident.
- c) to be advised of the date, time and location of the disciplinary hearing, and to request rescheduling for good cause.
- d) to be present at the hearing and to be accompanied by an advisor of the victim's choosing during the hearing process, although the advisor will not be permitted to speak for the victim during the hearing.
- e) to testify as a witness during the hearing. An intercom or other remote audio or video device may be used in hearings to allow a victim to testify and respond to questions and cross-examinations without face-to-face contact with the alleged perpetrator.
- f) to decline to testify, with knowledge that such action could result in dismissal of the university's charges for lack of evidence.
- g) to make an impact statement, either in person or in writing, to the hearing officer or Student Conduct Committee for consideration during the sanctioning phase.

V. Evidence and Burden of Proof

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

VI. Confidentiality Standards

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

offenses will be handled according to current law. Hearings will be closed to the public.

VII. Penalties

Admonition: is a warning.

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

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

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

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

- a) The charged student must remain off the campus during the period of suspension, except when summoned by an administrator of the university or when an appointment with an official has been arranged in advance.
- b) A student under suspension may not live or board in university facilities.

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

- a) The expelled student must remain off the campus, except when summoned by an administrator of the university or when an appointment with an official has been arranged in advance.
- b) A student under expulsion may not live or board in university facilities.

Debarment: is equivalent to suspension from the university applied to persons not currently registered at the time the penalty is imposed.

Interim Suspension:

The judicial officer may, with the approval of the vice president of university affairs,

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

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

- 4-a) the reliability of the information concerning the student's conduct, including the matter of his/her identity;
- 5-b) whether the conduct and surrounding circumstances reasonably indicate that the continued presence of the student on the university campus poses a substantial threat of harm or bodily injury to himself/herself or to others, to property, or to the stability and continuance of normal university functions.

If the judicial officer or committee finds the information concerning the charged student's conduct is unreliable or that the charged student has been misidentified, charges may be dismissed. If the judicial officer or committee finds that allowing the charged student to remain on campus poses no threat or disruption, the student may be allowed to remain on campus pending the completion of the hearing process.

~~VII~~/VIII. Residence Hall Policy Violation Procedures

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

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

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

~~1.4.~~ Informal Disposition for Residence Hall Policy Violations

~~1.~~ 1. Informal Hearing Procedures for Residence Hall Policy Violations

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

~~2.~~ 2. Right of Appeal for an Informal Hearing of Residence Hall Policy Violations

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

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

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

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

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

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

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

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

~~b.~~ *b.* The judicial board chair shall provide notice of the hearing through a university-recognized medium. Failure by the charged student to have his/her current local address on record with the university or to access notifications transmitted through a university-recognized medium shall not invalidate the notice. The notice shall set forth the date, time, and place of the alleged infraction, the conduct in question, and the date, time and place of the hearing before the Judicial Board. The charged student shall also be informed that an advisor may accompany the charged student to the hearing. If the charged student fails to appear at the scheduled time, the charged student shall be notified of a new hearing date within two (2) working days. If the charged student fails to appear for the newly scheduled hearing, the case shall be referred to the judicial officer for a hearing on the original charge and an additional charge of violation of the Student Conduct Code for failure to comply with the

directions of a university official. If the charged student has been referred to the Judicial Board because of failure to appear for informal hall director hearings, the charged student will receive no second notice and the hearing will proceed without the student being present. The findings of and any sanction imposed by the Judicial Board will be provided to the student through a university-recognized medium.

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

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

2. 2. Right of Appeal for a Formal Hearing of Residence Hall Policy Violations

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

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

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

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

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

~~IX~~.IX. Student Conduct Code Violation Procedures

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

At the initial meeting with the charged student, the judicial officer will provide the charged student a copy of the incident report which will include the name(s) of the individual(s) making the charge and potential witnesses. The charged student will also be presented with the option of having the judicial officer informally resolve the incident or having the case heard before the Student Conduct Committee. The

judicial officer shall also have the right to refer the case to the Student Conduct Committee. Cases where expulsion could be considered a sanction will automatically be referred to the Student Conduct Committee.

4.4. Informal Disposition for Student Conduct Code Violations

1. Informal Hearing Procedures for Student Conduct Code Violations

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

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

a. Sanction of suspension

There are two (2) appeal options for the sanction of suspension:

i. Appeal of Findings:

The determination of the judicial officer of a student's responsibility in a case may be appealed to the Student Conduct Committee by requesting a formal hearing. The request must be in writing and submitted to the committee chair within five (5) working days of the judicial officer's decision. See the following section, B. Formal Disposition for Student Conduct Code Violations, for formal hearing procedural details.

ii. Appeal of Sanction:

The charged student may accept the finding of responsibility and appeal the decision of the judicial officer to sanction by suspension to the vice president for university affairs ~~who has final authority in the matter,~~ within five (5) working days of the judicial officer's decision. The signed and dated written appeal must be filed in the vice president's office prior to 5 p.m. the day of the deadline and must contain: the charged student's university identification number, date of the disciplinary action being appealed, the nature of the charges, the grounds which merit an appeal, and any extenuating circumstances the charged student wishes to have considered.

The Vice President may assign the appeal to the Dean of Student Affairs for an initial hearing. Should the appeal be denied at the Dean's level it will automatically be forwarded to the Vice President, who has final authority in the matter, for a hearing.

iii. Sanctions other than suspension:

The charged student may appeal the decision of the judicial officer to the Student Conduct Committee who has final authority in the matter, within five (5) working days of the judicial officer's decision. Grounds for an appeal are limited to the following: procedural irregularities severe enough to have denied the student a fair hearing; lack of clear and convincing evidence to support the hearing outcome; new information pertinent to the case that was unknown to the student at the time of the hearing; or an excessive or inappropriate sanction. The signed and dated written appeal must be filed in the office of the Student Conduct Committee chair prior to 5 p.m. the day of the deadline and must contain the charged student's university identification number, date of the disciplinary action being appealed, the nature of the charges, the grounds which merit an appeal, and any extenuating circumstances the charged student wishes to have considered. Upon filing, the chair will provide the charged student with a list of the faculty/staff and student pool members of the Student

Conduct Committee and allow the charged student to make one (1) strike of any one (1) member of the ten (10) pool members. The committee shall review the full record of the case and the appeal documents and may affirm, reverse or remand the case for further proceedings and shall notify, through a university-recognized medium, the charged student and the judicial officer of the decision on the appeal.

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

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

4.4. Record of Hearing for an Informal Hearing of Student Conduct Code Violations

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

-B. Formal Disposition for Student Conduct Code Violations

4.1. Formal Hearing Procedures for Student Conduct Code Violations

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

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

c. The student conduct committee chair, or designated temporary chair, shall preside at the hearing, ascertain the presence or absence of the student charged with misconduct, read the notice of the hearing and the

charges and verify the receipt of notices of charges by the charged student, report any continuances requested or granted, establish the presence of any adviser or counselor of the charged student and call the attention of both the charged student and any adviser to any special or extraordinary procedures to be employed during the hearing.

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

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

2.2. Scope of the Committee

The Student Conduct Committee may:

a. a. permit a stipulation of facts by the judicial officer and the charged student involved;

b. b. permit the incorporation in the record by a reference to any document, affidavit or other thing produced and desired to be incorporated in the record by the university or the charged student;

c. c. question witnesses or other evidence introduced by either the university or the charged student;

d. d. hear from the; judicial officer about dispositions made in similar cases and any dispositions offered to the charged student appearing before the committee;

e. e. call additional witnesses or require additional investigation;

~~f.~~ *f.* dismiss any action or permit informal disposition upon request of the charged student;

~~h.~~ *g.* dismiss any person from the hearing who interferes with or obstructs the hearing or fails to abide by the rulings of the chair of the committee.

~~h.~~ *h.* In cases involving more than one student, which arise out of the same transaction or occurrence, the committee may hear the cases together, but shall make separate findings and determinations for each charged student.

3.3. Determinations and Official Report of the Student Conduct Committee

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

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

Procedural questions which arise during the hearing not covered by these general rules shall be determined by the chair, whose ruling shall be final unless the chair shall present the question to the committee at the request of a member of the committee, in which event the ruling of the committee by majority vote shall be final.

5.5. General Rules of Decorum for a Formal Hearing of Student Conduct Code Violations

All requests to address the committee shall be addressed to the chair. The chair shall rule on all requests and may consult with the committee's legal counselor prior to any ruling. The chair's ruling shall be final and all participants shall abide thereby, unless the chair shall present the question

to the committee, in which event the ruling of the committee by majority vote shall be final.

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

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

A charged student may appeal the decision of the Student Conduct Committee to the vice president for university affairs. ~~who has final authority in the matter.~~ The written appeal must be filed in the vice president's office within five (5) working days of the committee's notice. Grounds for an appeal are limited to the following: procedural irregularities severe enough to have denied the student a fair hearing; lack of clear and convincing evidence to support the hearing outcome; new information pertinent to the case that was unknown to the student at the time of the hearing; or an excessive or inappropriate sanction.

The signed and dated written appeal must be filed in the vice president for university affairs office prior to 5 p.m. on the day of the deadline and must contain the charged student's university identification number, date of the disciplinary action being appealed, the nature of the charges, the grounds which merit an appeal, and any extenuating circumstances the charged student wishes to have considered. The vice president shall review the full record of the case and the appeal documents and may affirm, reverse or remand the case for further proceedings and shall notify the charged student, the Conduct Committee Chair, and the judicial officer of the decision on the appeal. *The vice president may assign the appeal to the dean of student affairs for an initial hearing. Should the appeal be denied at the dean's level it will automatically be forwarded to the vice president, who has final authority in the matter, for a hearing.*

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

In cases of suspension or expulsion where an appeal is filed within the required time, a charged student may petition the vice president for

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

8.8. Record of Hearing for a Formal Hearing of Student Conduct Code Violations

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

Cross Reference: *Student Code of Conduct (Policy D-34.1)*

Responsible for Implementation: *Vice President for University Affairs*

Contact for Revision: *Dean of Student Affairs*

Forms: *None*

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

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

~~Contact for Revision:~~ ~~Judicial Officer~~

~~Forms:~~ ~~None~~

Student ID Cards (F-27)

Original Implementation: Unpublished

Last Revision: ~~July 14, 2005~~ July 15, 2008

Student identification cards are made ~~during registration~~ *on the enrollment of a new student* at a cost of \$5. Students must show a valid picture ID to obtain their first SFA ID card. Cards made after registration and replacement cards are made in the ~~University Center, Room #224~~ *Baker Pattillo Student Center, Room #1.205*.

The cards are used for the following purposes:

1. The ~~Mag strip on the back of the card~~ allows the designated student access to the cafeterias, ~~and access into the residence halls after hours and access to Jack Bucks account, if applicable.~~
2. The card allows SFASU students admission into regular season home football and basketball games.
3. Certain performances in the Fine Arts Department and Student Activities are sold at a discount price to students with ID cards.
4. The card is required for identification to purchase items by check and for book buy-back in the ~~University Center~~ *Barnes and Noble Bookstore in the Baker Pattillo Student Center*.
5. The validation sticker placed on the front of the card upon payment of semester fees is required to enter the Health and Physical Education building, ~~and Wellness Center and the Recreation Center.~~
6. The Computer and Spanish Labs require the deposit of the ID card to use diskettes and tapes.
7. The Business Office requires presentation of ID cards to claim payroll checks.
8. The card is the property of Stephen F. Austin State University and is intended for use by the individual cardholder only.

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

Cross Reference: None

Responsible for Implementation: *Vice President for University Affairs*

Contact for Revision: Director of ~~Auxiliary Services~~ *Student Services*

Forms: None

Tenure (E-50A)

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

Last Revision: ~~July 8, 2004~~ July 15, 2008

I. General Provisions

A. For purposes of this policy:

1. "Tenure" means the entitlement of a ~~a~~ faculty member[†] *who holds with the academic rank as defined in policy E-1A, Academic Appointments and Titles of instructor or above to continue in his/her his/her academic position unless dismissed for good cause. It ensures academic freedom and protects faculty from retribution.*
2. "Department/School" (*referred hereafter as department*) is a subdivision of ~~the a~~ college/library (*hereafter referred to as college*). ~~A college that is not further subdivided is referred to as a department, e.g. the College of Forestry and Steen Library.~~
3. "Academic Chair/Director of the Department" (*referred hereafter as department chair*) is the academic administrator immediately responsible for the department.
4. "Tenure Review ~~Dossier~~Portfolio" (*referred to hereafter as dossier/portfolio*) as used in this policy shall be defined as a set of verifiable materials showing evidence of ~~the a~~ candidate's fitness for tenure. ~~The dossier should portfolio should~~ contain a succinct, substantive, ~~and~~ cumulative *and relevant* record of ~~the a~~ candidate's performance during the probationary review period. (*see IV.A.2, of this policy*). ~~Any material generated during the review process will become an integral part of the dossier.~~

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

~~B.C.~~ ~~The Stephen F. Austin State University Policy Manual~~ *This tenure policy establishes a uniform system of procedures to be used for tenure in all academic units of the university. Each college and its departments of the university shall also establish its own written policy-policies governing its tenure decision-making guidelines procedures which are consistent with this policy. to direct departments where circumstances require or permit*

~~flexibility or variation. Each policy must conform to University Policy E-50A and contribute to the mission of the department, college, and the University.~~

- ~~C.D.~~ The university tenure policy relies upon several principles:
1. Recommendations for granting or denying tenure shall be based on a verifiable record of performance.
 2. The required content of the ~~dossier~~*portfolio* and the departmental criteria shall be known by the candidate and the reviewers.
 3. While variation related to the nature of the candidate's activity is expected, the content of the ~~dossier~~*portfolio* should conform to the same criteria for all candidates in the same department.
 - ~~4. The governing procedures shall be the same for all candidates across the University, except where conditions or academic cultures justify variation among colleges or among departments within a college.~~
 - ~~5.4.~~ Tenure procedures must be applied consistently to all candidates *within a college*.
 - ~~6.5.~~ Each person in the review process has a professional responsibility to treat information that evaluates another's work as confidential unless otherwise required by law.
 - ~~8.6.~~ Unconfirmed allegations of misconduct made against a candidate during the *tenure* review process shall not be considered by the reviewers; confirmed *professional* misconduct that occurred during the probationary period is a valid consideration for reviewers.

~~I.II.~~ Appointments²

- A. With the exception of special appointments clearly limited to a brief association with the university and reappointments of retired faculty members on special conditions, all full-time appointments³ to the rank of instructor or above are of two kinds: probationary or tenured.
 1. Appointments with tenure require that prior to the appointment, the appointee *successfully* complete the procedure for ~~acquiring~~ *granting* tenure at this ~~institution~~*university*. *A probationary faculty member's tenure status and years of credit for probationary service will be specified in the initial appointment letter along with any conditions.*
 2. Probationary appointments are subject to annual renewal.
 - a. Beginning with full-time appointment to the rank of instructor or above, the probationary period for a faculty member shall not exceed six years at this ~~institution~~*university*, including within this period credit granted for appropriate full-time service in all institutions of higher education.

- ~~a-b.~~ The ~~portfolio~~ *portfolio* must be submitted in the fall semester of the ~~sixth~~ *final* year of probationary service unless permission is granted by the Provost *and VPAA* for earlier submission.
- ~~b-c.~~ At the discretion of the university, prior full-time service at another university of normally no more than two years, but a maximum of three years, may be counted toward fulfillment of the required probationary period for tenure, ~~and: A written agreement, mutually satisfactory to the candidate and the department, college, and University, to include or to exclude previous years of full-time service for time credited toward the probationary period, must be made determined~~ at the time of initial appointment to a tenure-track position.
- ~~e-d.~~ Scholarly leave of absence (those related to reasons 1, 2, 3, and 4 of *Policy E-29A, Leave of Absence [Faculty]*) will count as part of the probationary period unless the candidate and the institution agree in writing to an exception to this provision at the time the leave is granted.
- ~~d-e.~~ Periods during which a faculty member is on leave of absence for one semester or more due to health related issues (~~see reason 5 of Policy E-29A and the description of Family Medical Leave and Organ or Bone Marrow Donors in Policy E-29A~~) or national guard service (~~see Authorized Training for Duty, Call to National Guard Active Duty by the Governor, and Call to National Duty in Policy E-29A~~) (*see policy E-29A, Leave of Absence [Faculty]*) shall not be counted toward fulfillment of the required probationary period unless the candidate and the institution agree in writing to an exception to this provision at the time the leave is granted.
- ~~e-f.~~ For purposes of calculating the period of probationary service, an "academic year" shall be the ~~approximate~~ *regular* nine-month period from September through May. If a faculty member begins service during an academic year, the period of service from the date of appointment until beginning of the following academic year shall not be counted as academic service toward fulfillment of the maximum probationary period.
- ~~f-g.~~ ~~Unusual~~ *Circumstances* may justify adjustment of the probationary period. It is the responsibility of the faculty member to provide appropriate documentation to demonstrate sufficiently why the request should be granted. This documentation must be submitted to *and approved by*

the Provost and VPAA through the candidate's department chair and dean.

- B. *Notice of reappointment will be in writing and will specify the probationary faculty member's tenure status, years of credit for probationary service, and any special conditions.*
- C. Notice of non-reappointment, or of intention not to reappoint a faculty member, will be given in writing in accord with the following schedule:
 - 1. not later than March 1 of the first year of probationary service at Stephen F. Austin State University (SFASU),
 - 2. not later than December 15 of the second year of probationary service at ~~Stephen F. Austin State University~~ SFASU,
 - 3. or during a subsequent academic year of a probationary appointment, when the faculty member will be notified that a terminal contract is expected to be offered for the next academic year. Such notice must provide for an academic year (nine month) terminal contract.
- ~~C. A probationary faculty member's tenure status and years of credit for probationary service will be specified in the initial appointment letter, along with any conditions other than those relating to performance evaluation and an assessment of the department's programmatic needs which will affect consideration for reappointment or tenure. Notice of reappointment will be in writing and will specify the probationary faculty member's tenure status, years of credit for probationary service, any special conditions, and a current assessment of the programmatic needs of the department.~~

~~H.III.~~ Pre-tenure Reviews

- A. *Each college and its departments shall establish a pre-tenure review process that is approved by the dean and the Provost and VPAA which ~~academic unit at the department level shall~~ formally reviews the progress of each of its faculty members toward the award of tenure at least ~~twice~~ once during a faculty member's probationary period. A copy of all college/department pre-tenure review policies must be filed in the offices of the Provost and VPAA and General Counsel. The pre-tenure review process must allow for review of probationary faculty by all tenured faculty members at the department level, the department chair, elected tenured faculty (one from each department) at the college level and the dean. Written feedback should be provided to candidates being reviewed highlighting strengths and weakness (with recommendations for addressing any weaknesses) along with a statement indicating the candidate is or is not progressing satisfactorily toward tenure and a recommendation concerning the continuation of the probationary candidate being reviewed. While annual reviews are encouraged, at a minimum pre-tenure reviews must be conducted according to the following schedule.*

1. Faculty fulfilling a six-year *or five-year* probationary period (~~faculty hired with no time toward tenure~~) must be reviewed in the fall semesters of the third and fifth years of probationary service.
 2. Faculty fulfilling a five-year probationary period (~~faculty granted one year of credit toward tenure~~) must be reviewed in the fall semesters of the second and fourth years of probationary service.
 3. 2. Faculty fulfilling a four-year *or three-year* probationary period (~~faculty granted two years of credit toward tenure~~) must be completed reviewed in the fall semester of the second year of probationary service.
 4. Faculty fulfilling a three-year probationary period (~~faculty granted three years of credit toward tenure~~) must be completed in the fall semester of the second year of probationary service.
- B. These reviews allow the chair, the tenured faculty, and the dean to provide indication of the faculty member's progress toward tenure and make recommendations concerning the continuation of the probationary faculty member.
- C. The academic unit at the department level is responsible for defining a process, subject to approval by the dean and by the Provost, for performing these reviews. The process must allow for:
1. review of the probationary faculty member's performance by tenured departmental faculty;
 2. review by the department chair;
 3. review by the dean;
 4. review by the Provost;
 5. feedback in writing to the faculty member under review from each review level that highlights strengths and weaknesses (with recommendations for addressing weaknesses);
 6. establishment of a professional development plan if necessary; and
 7. opportunity for the faculty member to respond in writing at each level of review.
- C.B. *A college and its departments are encouraged may elect to develop a mentoring systems to assist probationary faculty in their professional development.*

III. IV. Tenure Awards

- A. *Each college and its departments shall establish a tenure review process that is approved by the dean and the Provost and VPAA. A copy of all college/department tenure review policies must be filed in the offices of the Provost and VPAA and General Counsel. The tenure review process must allow for review of faculty being considered for tenure by all tenured faculty members at the department level, the department chair, elected*

tenured faculty (one from each department) at the college level and the dean. The department, with the dean's and Provost and Vice President for Academic Affairs approval, shall establish the tenure criteria in teaching effectiveness, scholarly/creative accomplishments, and rendered service.

- B. During the fifth year of probationary service prior to the year of the final tenure review, ~~(see II.A.1.b, of this policy)~~ the department chair ~~of the department~~ will meet with the candidate and to discuss the application tenure review process and ~~openly examine administrative and faculty concerns related to the process.~~ Additionally, the chair will discuss the ~~including the~~ requirements for preparation of the dossier/portfolio. The ~~portfolio which~~ is due the following fall semester.
1. A faculty member may apply for tenure or be nominated by a tenured faculty member, the department chair, or other appropriate administrative officer of the university.
 2. ~~The~~ Candidates, in consultation with the department chair, ~~are responsible for shall~~ developing a ~~dossier~~ succinct portfolio consisting of relevant supporting materials, including a table of contents, current vita, all annual faculty activity reports, all pre-tenure reviews, all administrative evaluations and other written evaluations material that may be required by the department. ~~An inventory of all contents must be attached to the dossier.~~
 3. ~~In the portfolio, candidates must clearly address how they meet or exceed each of the departmental tenure criteria. The dossier must address the criteria for tenure established by departmental tenured faculty. Such criteria must include details of departmental expectations in each of the following areas:~~
 - a. ~~Evidence of teaching effectiveness.~~
 - b. ~~Research and/or creative accomplishments.~~
 - b.a. ~~Service.~~
 - 4.3. ~~A~~ Faculty members who occupy ~~an~~ administrative positions will submit ~~his/her~~ their dossier/portfolio to ~~his/her~~ their immediate administrative supervisor. The administrative supervisor alone will receive the recommendations and supporting comments from the ~~tenured faculty reviews at the department and college levels of the department tenure committee and the college tenure committee.~~ In all other respects the review process for faculty in administrative positions will be consistent with the approved faculty review process for their college described below.
 4. Faculty members with concurrent appointments in two departments and/or two colleges will be evaluated by both departments and/or colleges.
- C.3. The tenure application and portfolio must be submitted and evaluated by the appropriate departmental and college committees and

administrators during the fall semester of the final probationary year of employment.

~~D.4.~~ Within five (5) class days of completion of the evaluation by the tenured faculty from the candidate's department and the chair of the candidate's department, the candidate will be notified in writing by the chair of the department of the status of his/her application for tenure and the recommendation from the tenured faculty and chair. Within five (5) class days of being allowed to review the written recommendations and supporting comments the candidate may attach a letter of response addressing errors of fact in the recommendations. Such a notification and any subsequent response by the candidate will become part of the dossier.

~~E.5.~~ Within five (5) class days of completion of the evaluation by the tenure committee from the candidate's college and the candidate's dean, the candidate will be notified in writing by the dean of the college of the status of his/her application for tenure and the recommendation from the tenured faculty and chair. Within five (5) class days of being allowed to review the written recommendations and supporting comments the candidate may attach a letter of response addressing errors of fact in the recommendations. Such a notification and any subsequent response by the candidate will become part of the dossier.

After the college has completed its tenure review, the portfolio along with department and college recommendations and supporting comments are submitted to the Provost and VPAA for review. A faculty member shall be advised of the recommendation for or against tenure at each level of review.

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

- ~~1. The chair will make the dossier available for review by the tenured faculty in the department.~~
- ~~2. After the tenured faculty have reviewed the dossier, the chair of the department will schedule a meeting of the department tenure committee, which will consist of all tenured faculty from the candidate's department. The department tenure committee will meet and elect a member of the group to chair the committee; and carefully consider the candidate's application in reference to department, college, and university criteria for awarding tenure. The committee's considerations must be limited to the criteria for awarding tenure.~~
- ~~3. Administrators who are not involved in the tenure recommendation process at another level are eligible to serve on tenure committees.~~
- ~~4. In departments with two or fewer tenured faculty, the chair of the department and each candidate shall submit separately to the dean of the college a list of three names of tenured faculty members from other departments in the college. The dean shall appoint~~

members from these lists until there are at least three members of the departmental tenure committee.

5. Following this discussion, each tenured faculty member shall submit a written recommendation and supporting comments to the chair of the committee clearly indicating that the candidate be granted or not granted tenure.

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

F. The chair of the candidate's department will evaluate the dossier submitted by the candidate, recommendations from the department committee, and other evidence deemed pertinent; the chair will notify the candidate as indicated below:

1. Within six (6) class days of completion of the evaluation by the tenured faculty from the candidate's department and the chair of the candidate's department, each candidate will be notified in writing by the chair of the department of the status of his/her application for tenure and the recommendation from the tenured faculty and chair.

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

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

G. Each dossier, including all supporting materials, recommendations, and candidate responses (if any), will be evaluated by the college tenure committee with regard to the candidate's credentials and performance as a faculty member.

1. This committee will consist of one elected representative of each department in the college and may include an external representative in accordance with college policy.

2. Members shall be elected from and by the tenured faculty of each department/school in the college in an election conducted by the chair of each department.

3. ~~Administrators who are not involved in the tenure recommendation process at another level are eligible to serve on tenure committees.~~
 4. ~~Each committee member will review the dossier.~~
 5. ~~After the committee members have reviewed the dossier, the dean will schedule a meeting of the committee.~~
 6. ~~The college tenure committee will meet and elect a member to chair the committee; and carefully discuss and consider the dossier. The committee's discussion must be limited to the department, college and university criteria for awarding tenure.~~
 7. ~~Following this discussion, each committee member will submit a written recommendation and supporting comments to the chair of the college tenure committee clearly indicating that the candidate be granted or not granted tenure.~~
 8. ~~The chair of the college tenure committee will collect and transfer to the dean the recommendations and supporting comments of the committee members. The chair of the college tenure committee will also report in writing to the dean the recommendation of the committee along with supporting comments in summary form. The written recommendation must be endorsed by members of the committee. Dissenting comments may be attached.~~
- H. ~~The dean of the college will evaluate the dossier submitted by the candidate, recommendations from the department committee, and any other evidence deemed pertinent; the dean will notify the candidate as indicated below.~~
1. ~~Within six (6) class days of completion of the evaluation by the college tenure committee and the dean each candidate will be notified in writing by the dean of the status of his/her application for tenure and the recommendation from the tenure committee and dean.~~
 2. ~~Within six (6) class days of being allowed to review the written recommendations and supporting comments the candidate may attach a letter of response addressing factual errors. Such a letter and any subsequent response will become part of the dossier.~~
 3. ~~The dean's recommendation and supporting comments will be submitted to the Provost and Vice President for Academic Affairs, along with the dossier, the recommendations generated at each preceding stage of the evaluation and the candidate's response(s) (if any).~~
- F.6. The Provost will review these materials and recommendations and any other evidence deemed pertinent as a basis for his/her recommendation to the President of the University that the candidate be granted or not granted tenure. The Provost and VPAA will submit to the President of the university his/her recommendation, along with all

supporting materials and the recommendations generated at each preceding stage of the evaluation. At the same time, the Provost and VPAA will notify the candidate of his/her recommendation to the President.

G. The President of the university will review these materials and recommendations and any other evidence deemed pertinent as a basis for his/her recommendation to the Board of Regents that the candidate be awarded tenure.

~~K. Within six (6) class days of completion of the evaluation by the Provost and the President and before action by the Board of Regents each candidate will be notified in writing by the Provost of the status of his/her application for tenure and the recommendation from the Provost and President.~~

~~H. Tenure is awarded by action of the Board of Regents of Stephen F. Austin State University SFASU.~~

~~J. I. Within the next class day following the action of the Board of Regents each candidate will be notified in writing by the Provost and VPAA of the action of the Board.~~

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

A. Tenured Faculty and Probationary Faculty with an Unexpired Appointment Extending Beyond the Date of Proposed Dismissal¹⁴

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

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

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

A-B. Probationary Faculty Whose Contract is Not Renewed

1. A probationary faculty member who has been notified of non-reappointment according to the schedule set forth in *this policy* ~~Section H. B.~~ may appeal non-reappointment only on presentation of a prima facie case that constitutional guarantees or academic freedom were violated. Appeals must follow the following schedule:
 - a. Appeal of non-reappointment on or before March 1 for the first year of probationary service at ~~Stephen F. Austin State University~~ *SFASU* must be filed within 30 days of non-reappointment.
 - a-b.* Appeal of non-reappointment on or before December 15 for the second year of probationary service at ~~Stephen F. Austin State University~~ *SFASU* must be filed within 60 days of non-reappointment.
 - b-c.* Appeal of non-reappointment during a subsequent academic year of a probationary appointment or of a tenure decision must be filed within 30 days after the beginning of the next immediate fall term.

2. The burden of proof of allegations of abridgement of constitutional guarantees or academic freedom is upon the probationary faculty member. The burden of proof shall be by the preponderance of the evidence.
3. A faculty member who alleges abridgement of constitutional guarantees or academic freedom will present evidence to a committee of the ~~University~~-Grievance Panel.
 - a. An Advisory Committee to hear the evidence will be composed of five members selected as follows from the ~~University~~-Grievance Panel: two members selected by the faculty member, two by the President or the President's delegate, and one by lot. Each party will have one challenge without stated cause.
 - ~~a.b.~~ Once constituted, the Advisory Committee will organize itself to carry out its responsibilities and establish its procedures.
 - ~~b.c.~~ Hearings must be completed by the end of the semester in which the appeal is filed or by the end of the fall semester if an appeal is filed during the summer.
4. If the Advisory Committee finds probable cause that there was an abridgement of constitutional guarantees or academic freedom, conferences between the faculty member and appropriate administrative officers of the university will be scheduled. If the conferences fail to achieve a mutual settlement, the faculty member's institutional due process is completed.
5. If the Advisory Committee finds no probable cause that there was an abridgement of constitutional guarantees or academic freedom, the faculty member's institutional due process is completed and a written report of the Advisory Committee's finding will be sent to the President and to the faculty member.

~~B.C.~~ Financial Exigency

1. Termination of an appointment with tenure, or of a probationary or special appointment, before the end of the specified term may occur under extraordinary circumstances because of bona fide financial exigency; i.e., an imminent financial crisis, which threatens the continuation of a strong academic program and which cannot be alleviated by less stringent means. The responsibility for demonstrating the existence and extent of the financial exigency will rest with the administration.
2. If the institution, because of financial exigency, terminates appointments with tenure, or probationary or special appointments before the end of the specified term, it will not at the same time make new appointments except in extraordinary circumstances

where a serious distortion in the academic program would otherwise result. Employment of a faculty member with tenure will not be terminated in favor of retaining a faculty member without tenure, except in extraordinary circumstances through which a serious distortion of the academic program would otherwise result.

3. Before terminating an appointment because of financial exigency, the appropriate university administrator, with faculty participation, will make every reasonable effort to place the faculty member concerned in another position within the University for which he/she is professionally qualified.
4. In each case of termination of appointment because of financial exigency, probationary faculty members concerned will be given notice not less than as prescribed in ~~Section II. B~~ *this policy*. Tenured faculty members will be given notice at least twelve months prior to termination of appointment.
5. In each case of termination of an appointment with tenure because of financial exigency, the place of the faculty member concerned will not be filled by a replacement within a period of two calendar years, unless the released faculty member has been offered reinstatement and at least sixty days in which to accept or decline it.
6. A faculty member who alleges abridgement of constitutional guarantees or academic freedom in such an emergency will be afforded due process in accord with ~~Section V. B. 3 through B. 5~~ *this policy*.

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

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

1. The decision to discontinue formally a program or department of instruction will be based essentially upon educational consideration as determined by the university administration after consultation with the affected faculty and appropriate standing or ad hoc committees.
2. Before the administration issues notice to a faculty member of its intention to terminate an appointment because of formal discontinuance of a program or department of instruction, the institution will make every reasonable effort to place the faculty member concerned in another position within the University for which he/she is professionally qualified.

3. In each case of termination of appointment because of program discontinuance, probationary faculty members concerned will be given notice not less than as prescribed in ~~Section H. B~~ *this policy*. Tenured faculty members will be given notice at least twelve months prior to termination of appointment.
4. A faculty member who alleges abridgement of constitutional guarantees or academic freedom will be afforded due process in accord with ~~Section V. B. 3 through B. 5~~ *this policy*.

See also Faculty Evaluation, Merit Pay, Promotion and Tenure Policy E-20A.

¹~~Faculty member includes professional librarians.~~

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

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

⁴~~The~~ ¹*The university has a uniform procedure by which charges of discrimination made by employees or students are considered.*

Source of Authority: Board of Regents, President

Cross Reference: ~~None~~ *Policy E-1A, Academic Appointments and Titles; Policy E-29A, Leave of Absence (Faculty)*

Responsible for Implementation: President

Contact for Revision: President

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

Turner Auditorium (B-28)

Original Implementation: May, 1987

Last Revision: ~~July 14, 2005~~ July 15, 2008

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

W. M. Turner Auditorium is a part of the Griffith Fine Arts Center, an academic facility of ~~Stephen F. Austin State University~~ SFA. In addition to the Turner Auditorium, the facility contains the SFA Gallery, two lab theaters, technical shops, classrooms, design areas and the offices of the College of Fine Arts and the Department of Theatre.

Scheduling and use of the facility and its equipment are pursuant to University Policy B-1, Use of University Facilities. That document assigns responsibility for administrative control of the facility to the "Dean of the College having jurisdiction over the space."

Auditorium Operating Policy

The William M. Turner Auditorium is an academic and performing arts facility of ~~Stephen F. Austin State University~~ SFA. Scheduling and use of the facility and its equipment are pursuant to University Policy B-1, Use of University Facilities. The Dean of the College of Fine Arts is the administrator of the facility and its operating policies. Nothing contained in this policy shall be construed to prohibit or hinder the operation of Turner Auditorium in pursuing the University's mission as a public institution of higher education. All activities associated with that mission shall have priority in the use of this facility.

Priority of Users

Because Turner Auditorium is an academic and a performing arts facility, its use shall be restricted. The following priorities for assignment of use shall be in effect:

Category I - Events sponsored by the ~~Departments~~ Schools of Art, Music, and Theatre; Dance productions of the Department of Kinesiology and Health Science; and other performance activities that are a necessary adjunct to academic programs in the College of Fine Arts.

Category II - Events that are a part of the university Series or the Children's Performing Arts Series of the CFA @ SFA visual and performing arts programming.

Category III - Events sponsored by university departments or registered student, faculty, and staff organizations of both an academic and nonacademic nature.

Category IV - Events sponsored jointly by official university departments or agencies with non-university groups subject to the regulations described herein.

Reservations Procedures

Reservations for all functions in Turner Auditorium are made through the office of the Dean of the College of Fine Arts. Scheduling priorities will be given in accordance with the following procedures:

Category I - Events requiring the use of the auditorium for five days or longer have priority for reserving dates until October 15 of the previous academic year. Events requiring the use of the auditorium for fewer than five days have priority for reserving dates through December 15 of the previous academic year.

Category II - Events in this category have priority for reserving dates after October 15 and prior to March 15 of the previous academic year.

Category III and IV - Events in these categories may reserve available dates after May 1 of the previous academic year.

The office of the Dean of the College of Fine Arts will produce and distribute to all Category I and II auditorium users a working calendar on October 15 and December 15 of the previous academic year. Attempts will be made to resolve any conflicts. The Dean of Fine Arts will act as arbitrator in circumstances where scheduling conflicts cannot be resolved.

Procedures for Reserving Facility

The following reservation procedures apply to requests to use Turner Auditorium:

Category I, II

~~1~~-6. The office of the Dean of the College of Fine Arts will distribute an invitation to Category I and II users of Turner Auditorium to make their initial date requests according to the reservation procedures.

~~2~~-7. Once conflicts are resolved, each scheduled user will receive forms ("William M. Turner Auditorium Reservation Request") to complete and return to the office of the Dean of the College of Fine Arts. Formal confirmation of a requested date will be issued upon receipt of a completed form.

~~3~~-8. The office of the Dean of the College of Fine Arts will notify users at the appropriate times regarding technical needs, publicity, house management, etc.

Category III, IV

~~2~~-1. Obtain a reservation packet from the office of the Dean of the College of Fine Arts. The Auditorium should be reserved as far in advance as possible (suggested minimal time: 12 weeks prior to the event) since there is great demand for the facility and insufficient staff to easily accommodate all requests. Alternate dates should also be selected in the event that the date of first choice is not available.

~~3~~-1. For all non-College of Fine Arts users, if a date is confirmed, a meeting with the Turner Facilities Manager will be scheduled to formalize equipment and personnel needs (suggested minimal time: 5 weeks prior to the event). At the time of the signing of a rental contract, the user will pay a deposit of 20% of the estimated rental, personnel, and equipment fees as indicated on the contract addendum. For College of Fine Arts users, standard Arts Information Office procedures will be utilized.

- ~~4.1.~~ Meet with the Turner Facilities Manager and staff ~~2-two~~ weeks before the event to finalize plans. Additional meetings may be required at the discretion of the Dean and/or the Turner Facilities Manager.

Schedule ~~Of~~ Fees

Category I

- ~~10.1.~~ Rental Fees: None charged.

- ~~11.1.~~ Equipment/Personnel Fees: During the academic year, equipment fees general are not charged to Category I users, except in those instances where the use of equipment results in an unusual expense to Turner Auditorium (i.e., piano tuning, purchase of special gels, etc.). Personnel fees may be charged per number of hours worked times the minimum wage. A minimum of two hours per worker per rehearsal or performance is charged. For the summer months, Category I users may be required to cover personnel costs on a per-use basis (summer fees will be based upon budgetary allocations to the College of Fine Arts).

Category II

- ~~9.1.~~ Rental Fees: None charged.

- ~~10.1.~~ Equipment/Personnel Fees: During the academic year, equipment fees general are not charged to Category I users, except in those instances where the use of equipment results in an unusual expense to Turner Auditorium (i.e., piano tuning, purchase of special gels, etc.). Personnel fees may be charged per number of hours worked times the minimum wage. A minimum of two hours per worker per rehearsal or performance is charged. For the summer months, Category I users may be required to cover personnel costs on a per-use basis (summer fees will be based upon budgetary allocations to the College of Fine Arts).

Category III

- ~~4.1.~~ Rental Fees:

~~4.i.~~ First Hour of Use - \$150

~~4.ii.~~ Second Hour of Use - \$100

~~e.iii.~~ Third and All Succeeding Hours of Use - \$25 (This charge applies to hours contracted for over several days.)

Hours are determined according to the production plan and are continuous. Accordingly, a Category III event with eight rehearsal hours and a performance of three hours would cost \$150 plus 100 plus 9 times \$25 for a total \$475. Gaps of unscheduled stage time (periods between rehearsals) may be used for certain events (i.e., speaker) even though the stage is taken with sets or other equipment.

- ~~5.1.~~ Personnel/Equipment Fees:

The minimum personnel requirement for any rehearsal or performance (whether or not admission is charged) is one each:

~~4.a.~~ Stage technician - two hours times minimum wage

~~1~~.b. House manager - two hours time minimum wage (when audience is present)

~~1~~.c. (Turner Auditorium personnel are hired from a list of trained stage assistants familiar with apparatus and equipment of Turner stage and employed only through the office of Dean of the College of Fine Arts.)

Personnel needs are determined during the planning conferences with Turner staff. Follow spot operators, lighting technicians, sound technicians, and miscellaneous stagehands may be needed. These workers will be employed by the Dean of the College of Fine Arts and supervised by the Stage Technician. The cost of the workers will be charged to the user.

A schedule of equipment rental charges is available separately from the office of the Dean of the College of Fine Arts.

The need for House Personnel (ushers, ticket takers, house manager, box office staff) will be determined at the planning conference. A member of the Turner Auditorium staff will provide the user with an estimate of total costs associated with the use of the auditorium.

Category IV

~~11~~.1. Rental Fees:

~~a~~.a. First Hour of Use - \$200

~~a~~.b. Second Hour of Use - \$150

~~1~~.c. Third and All Succeeding Hours of Use - \$75 (applies to hours contracted for over several days).

Hours are determined according to the production plan and are continuous. Accordingly, an event with eight rehearsal hours and a performance of three hours would cost \$200 plus \$150 plus ~~9~~-nine times \$75 for a total of \$1,025. Gaps of unscheduled stage time (periods between rehearsals) may be used for certain events (i.e., speaker) even though the stage is taken with sets or other equipment.

~~12~~.1. Personnel/Equipment Fees: Same as Category III

Events with Admission Charges

Category I, II users: If an event has an admission charge, the user of the facility must deposit the proceeds from ticket sales to a university account.

1. Users scheduling events with admission charges must conform to university Business Office ticket procedures.

~~2~~.1. Ticket prices and ticket availability notices may not be published until Turner Auditorium Staff certifies that the event has received adequate planning and all necessary approvals.

Category III, IV users: Users are free to set admission prices and handle admissions as they see fit. Notwithstanding this general statement, university departments must deposit funds in a university account and conform with university business practices and policies.

Jointly Sponsored Events

Jointly sponsored events (i.e., events where official university departments and agencies jointly sponsor an event with a non-university group) may be scheduled only in accordance with the provisions of University Policy B-1, Use of University Facilities.

Jointly sponsored events in Turner Auditorium are subject to the following regulations:

- ~~10.1.~~ Only official university departments and agencies may jointly sponsor an event with a non-university group.
- ~~11.1.~~ A jointly sponsored event must have approval from a Dean or Vice President and have self-evident educational implications.
- ~~12.1.~~ A written agreement between the university department/agency and the non-university group must be prepared after consultation with the office of the Dean of the College of Fine Arts and the Turner Facilities Manager. This agreement must be signed by the appropriate dean or vice president.
- ~~13.1.~~ The university department/agency acting as sponsor agrees to assume full responsibility for the event and all charges for damages related to that event.
- ~~14.1.~~ The Turner staff will work directly with the sponsoring university department/agency rather than the non-university group. The university agency will be considered the producer of the event.
- ~~15.1.~~ All advertising, promotion, and announcements of the event must include the name of ~~Stephen F. Austin State University~~ *SFA* and be approved by the university joint sponsor.
- ~~16.1.~~ The university agency sponsoring an event assumes responsibility to assure that the use of Turner Auditorium does not result in private gain for the non-university group.

General Operating Regulations

Regulations Applying to All Turner Auditorium Users:

- ~~10.1.~~ Signs and displays: No signs, messages or other materials may be posted, displayed, distributed, or announced in, on, or adjacent to Turner Auditorium by the user of sponsor without prior written approval by the Dean of the College of Fine Arts. Such materials may not be fastened to any part of the facility except in spaces provided for the purpose and may not be permitted to interfere with crowd movement and safety.
- ~~11.1.~~ Advertising: All news releases, handbills, advertisements, television and radio announcements or other media utilized to inform the public of a non-university event to be held in Turner Auditorium must be approved by the Public Affairs Office and also must carry a disclaimer, approved by the university General Counsel, to the effect that use of Turner Auditorium does not imply endorsement of the event by the sponsoring organization or the university.
- ~~12.1.~~ Safety: Safety regulations, as determined by the Turner Auditorium Staff and the university Safety Officer, will govern all areas of Turner Auditorium and the Griffith *Fine Arts* Building.

- ~~13.1.~~ Conduct: The user organization is responsible for the conduct of its representatives, members, and guests while in the Griffith *Fine Arts* Building. Organizations with a history of conduct violations during previous use of the Turner Auditorium may be denied subsequent use.
- ~~14.1.~~ Smoking: Griffith Fine Arts ~~Center Building~~ is designated as a No Smoking facility. That means there shall be no smoking in the building!
- ~~15.1.~~ Photographs and recordings: Each user is advised to make its policies regarding the taking of photographs and/or recordings clear to the audience.
- ~~16.1.~~ Broadcasts: Users must have prior written permission from Turner Auditorium Staff to make any broadcasts, telecasts, master recordings, films, and transcripts of performances. If consent is given, the user organization will furnish and install all equipment necessary other than Turner equipment furnished and contracted for by the user organization.
- ~~17.1.~~ Hours: The user must specify daily clock hours of occupancy and may not carry out activities in the facility other than at those times. The Turner Staff will be in attendance and may be paid for by the user during all specified hours.
- ~~18.1.~~ Personnel: Turner Auditorium operating personnel needed shall be determined by the office of the Dean of the College of Fine Arts and the Turner Facilities Manager. A minimal crew (Turner Auditorium technical crew for all events; House management when an audience is present) is required. Any additional technical and house personnel required as determined by the office of the Dean of the College of Fine Arts shall be provided at the user's expense.
- ~~19.1.~~ User Staff: Organizations may wish to use their own crews for tasks more appropriately understood by their personnel (music stand and chair setup, prop arrangements, etc.). This arrangement must be cleared by the office of the Dean of the College of Fine Arts and Turner Facilities Manager in advance. Such arrangement does not, however, release the user from the basic personnel charges identified in other sections of this document.
- ~~20.1.~~ Services: Technical and house needs and functions performed by Turner Auditorium Staff on behalf of the use outside scheduled occupancy shall be paid for by the user. All University equipment will be operated by trained personnel employed by the University and/or approved by the Turner Facilities Manager.
- ~~21.1.~~ Operating Code: Any user whose technical or house crew fails to operate and maintain the facility according to the stated Operating Regulations shall be required to use Turner staff for future events. Users who fail to abide by the Operating Regulations may forfeit future use.
- ~~22.1.~~ Payment for damages: All users and sponsors shall be responsible for payment for damages to the facility, its fixtures and equipment, whether caused by the user or its patrons, ordinary wear and tear excepted.
- ~~23.1.~~ Pianos: Pianos owned by SFA may be provided for use on the stage. Any tuning requested by the user organization may be billed at cost to the user. The Dean of the College of Fine Arts will designate the piano to be used and the tuner employed.

- 24.1. Stage work: All stage work shall be done at the user's expense under the supervision of the Turner Facilities Manager. Prior approval must be secured as indicated above if user organizations wish to employ their own personnel.
- 25.1. House equipment: A request to use Turner Auditorium equipment must be made at pre-event conferences and involve individuals who have been designated as competent and qualified by the Turner Facilities Manager.
- 26.1. Cleared stage: The user organization shall leave the stage and stage areas, including dressing room, clear after the final performance, unless permission is given for a longer storage period. Such permission is granted by Turner Facilities Manager. If the stage is not cleared within the designated period, the Turner staff will employ a cleanup crew for this purpose and assign charges to the user organization. A user will be released from further responsibility only after inspection by the Turner staff reveals the facility to be in satisfactory condition.
- 27.1. Concessions: The user organization shall not allow tobacco products, beverages, food, gum, or refreshments of any kind to be sold, brought into, or served on the premises. No refreshment shall be taken onto the stage, into the backstage areas or into the Auditorium at any time.
- 28.1. Prior approval: The user organization will acquire written approval from the Turner Facilities Manager before placing any equipment on the stage. The user organization will acquire written approval from the Turner Facilities Manager before a) erecting or operating any machinery or equipment run by electricity or other power, or by b) installing any wires, electrical installations or other appliances. All decorations shall be installed without defacing the building and shall be subject to the supervision and approval of the Turner Facilities Manager. The use of tape, nails, adhesives, tacks, screws, or similar articles on wall, floors, or plaster surfaces is not allowed.
- 29.1. Cancellation: In most cases, should an event be canceled more than two weeks before the scheduled performance date, no financial obligation will accrue to the user organization. Should an event be canceled within two weeks of performance, however, appropriate charges will be made.
- 30.1. Curtain time: Doors ordinarily open 30 minutes before curtain time. The House Manager starts the performance. Normally, evening performances begin at 7:30 p.m.
- 31.1. Rental Payments: When applicable, payments for use of Turner Auditorium will be made within thirty (30) days of the event.

Source of Authority: Board of Regents, President, Provost and Vice President for Academic Affairs

Cross Reference: Policy B-1, Use of University Facilities

Responsible for Implementation: Provost and Vice President for Academic Affairs

Contact for Revision: Dean of the College of Fine Arts

Forms: None

Year-end Purchasing (C-40)

Original Implementation: April 5, 1984

Last Revision: ~~July 13, 2006~~ July 15, 2008

The State fiscal year is September 1 through August 31 and the following rules and regulations apply to year-end transaction processing.

Consumable/expendable supply items are to be charged to the fiscal year in which they are delivered. The cost of consumable supplies ordered in one fiscal year and delivered in the next fiscal year may be charged to the prior year only if the following conditions exist:

1. delay causing delivery in the later fiscal period was beyond control of the agency;
2. delivery could have reasonably been expected to occur during the fiscal year in which the order was placed; and
3. the quantity ordered could have been consumed during the fiscal year in which it was ordered had delivery occurred as originally anticipated.

Services are to be charged to the fiscal year in which they are delivered.

Capital equipment purchases (non-consumable with a useful life of more than 1 year) are to be charged to the fiscal year in which they are ordered, except that capital purchases may be charged to the year of delivery as long as the appropriation for the year in which delivery will occur exists, (General Appropriations Act has been signed by the Governor) and payment is not made prior to September 1 of the new fiscal year. Payments under a lease-purchase agreement are to be charged to the fiscal year in which the payment is made.

Internet connections, Subscriptions, maintenance contracts, post office box rental, insurance and surety or honesty bonds are chargeable to the fiscal year in which they begin and may be paid in full from that fiscal year regardless of whether the purchase covers more than one fiscal year. This rule supersedes other rules relating to consumable items, services, or capital equipment.

Seminar and conference expenses related to conducting or attending the same are to be paid from the fiscal year in which the seminar or conference occurs, unless it is determined to be cost-effective to use current fiscal year funds to pay for conducting or attending a seminar or conference that will occur partly or entirely during a different fiscal year. This rule supersedes other rules relating to consumable items, services, or capital equipment.

Utility services are to be charged to the fiscal year in which the service is provided except that a prior fiscal year may be used to pay for September services of the next fiscal year. This rule supersedes other rules relating to consumable items, services, or capital equipment. Utility service is defined in the State Comptroller's Purchase Policies and Procedures Guide.

A Combined Purchase of at least two consumable items, services and capital assets should follow the year-end rules according to the dominant purpose of the contract.

A Purchase Option that is contractually exercised to purchase a consumable item, service, or capital equipment should follow the year-end rules according to the good or service for which the option is exercised.

Department Notification

Each spring, the Purchasing Department establishes and notifies departments of deadlines for receipt of approved requisitions for the current fiscal year to comply with state guidelines and allow adequate order processing time for current year orders.

Requisitions received prior to the established deadline dates will be processed on current fiscal year funds unless properly identified as a next fiscal year requisition following the instructions provided through the Purchasing Listserv. Requisitions received after the established deadline dates will be processed on next fiscal year funds.

Exceptions

Exceptions to the established deadline dates will be made if necessary to comply with year end guidelines established by the State Comptroller or for emergency reasons. The Director of Purchasing may use discretion in the best interest of the university when applying or exempting the established deadlines or above rules when using non-appropriated funds.

Source of Authority*Cross Reference:* 34 TAC, Part 1, Chapter 5, Subchapter E, Rule 5.56; State Comptroller Purchase Policies and Procedures Guide; ~~President; Vice President for Finance and Administration~~

Cross Reference: None

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

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

Forms: None